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Manual

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Distribution: Administrative and Financial Management
Area Offices
Locations

This chapter provides updated guidance for management of Government-owned quarters, furnishings, household goods; issuance of Revocable Permits for quarters and implementation, adjustment, collection and use of quarter's rental charges. This version provides organizational structure and system updates.

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1. Purpose

This Chapter sets forth legislative and regulatory guidelines, as well as the policy and responsibility for the issuance, amendment, administration, and termination of Agricultural Research Service (ARS) quarters assigned through the use of a *Form ARS-494, Revocable Permit*. This includes ARS owned, leased, or otherwise controlled quarters located within the 50 States, the District of Columbia, Puerto Rico, the Virgin Islands and the territories and possessions of the United States as authorized by Reference (a) and delegated by Reference (b). This chapter sets forth forms and procedures to be used in managing Government-furnished Quarters (GFQ), establishing rental rates, and collecting charges for related facilities.

2. Federal Policy

In accordance with Reference (d), rental rates and charges for Government quarters and other facilities will "...be based on the reasonable value ... to the employee...in the circumstances under which the quarters and facilities are provided, occupied, or made available." As intended by Congress, reasonable value to the employee or other occupant is determined by the rule of equivalence; namely, that charges for rent and related facilities should be set at levels equal to those prevailing for comparable private housing located in the same area, when practicable. Finally, this authority contemplates that the general method of collection will be through payroll deductions.

In accordance with References (e), Federal employees whose pay and allowances are fixed by statute or regulation may not receive additional pay and allowances for any service or duty unless specifically authorized by law. Rents and other charges may not be set so as to provide a housing subsidy, serve as an inducement in the recruitment or retention of employees, or encourage occupancy of existing Government housing.

In accordance with Reference (f), employees on leave will continue to be charged for quarters and related facilities unless the quarters are vacated and made available for reassignment.

Acquisition or construction of quarters will be in accordance with Reference (f).

To avoid potential conflicts of interest, agencies will not assign employees occupying quarters or their subordinates to be involved in the processes of recommending, reviewing, or resolving issues related to quarters rent or charges for services in accordance with References (f) and (g).

Tenants/Permittees will receive disclosure of the presence of any known lead-based paint and/or lead-based paint hazards in the quarters and be provided with an Environmental Protection Agency-approved lead hazard information pamphlet in accordance with Reference (h).

In accordance with Reference (i) and charges collected by payroll deduction or otherwise for the use or occupancy of quarters will be deposited in a special fund (known as the Quarters Account), to remain available until expended, for the maintenance and operation of the quarters

of the agency. Amounts collected for loss and damage to Government property **are not** rental receipts and must be deposited with the United States Treasury.

3. ARS Policy

In addition to that stated in Section 2 herein, the following are ARS policies regarding the acquisition, assignment, use, and retention of quarters:

- Use and occupancy will be at the Convenience of the Government (COG) unless justified and approved as a Condition of Employment (COE). Occupancy as a COG appointment is associated with the need for and responsibility of a particular position. For COE assignments, the Area Director (AD) must make the determination that essential services cannot be rendered or that the property of the Government cannot adequately be protected. Occupancy as a COE will be specified in the corresponding job announcement, position description and *SF-50, Notification of Personnel Action*, for the position under which the employee is serving and occupying GFQ; see Reference (j) for additional information.
- Privately owned house trailers will not be permitted on ARS-controlled land.
- If there appears to be no immediate or foreseeable need for housing units, such units should be considered for conversion to other uses.
- All assignments will be made without regard to race, religion, gender, color, creed, handicap, national origin, marital status or familial status.
- ARS will assume customary responsibilities of a landlord and those who occupy rental quarters will assume customary responsibilities of a tenant (i.e., as the landlord, ARS contracts for repairs to or replacement of a roof if the dwelling requires such and as the tenant, the Permittee will be responsible for lawn and shrubbery maintenance, including cutting and trimming, watering, reseeding, etc.).
- ARS will ensure that Government rental quarters are safe and sanitary. The Business Service Center (BSC) Real Property Leasing Officer (RPLO), or his/her designated representative, will be permitted to conduct annual quarters inspections to ensure compliance with the Special Conditions and Terms and Conditions of the *ARS-494* for quarters assignment. Such inspections will also be performed to identify health and safety related maintenance issues. Tenants will be responsible for routine household maintenance (i.e., light bulb replacement, etc.) and cleaning. BSC RPLOs will ensure that an *ARS-494* issued for quarters include location-specific Special Conditions.
- To ensure a consistent local pattern in rents and utility rates, as well as implement a comprehensive quarters' management system, ARS entered into an Inter-Agency Agreement (IAA) with the Interior Business Center (IBC), Department of the Interior. The use of the internet Quarters Management Information System (iQMIS) is required, unless an approved

waiver is received from Real Property Management Branch (RPMB), Facilities Division (FD). The IAA between ARS and the IBC requires:

- Preparation and publishing of Regional Rental Survey Reports (RRSR) for estimating fair market rent of Government quarters rented to civilians on a four-year survey cycle or according to the cycle agreed upon by the National Quarters Council;
 - Annual compilation and publishing of tables of Consumer Price Index (CPI) adjusted rents and related software, and
 - A comprehensive quarters' management system and all necessary services to support such a system, including baseline software applications compliant with current regulations.
- All iQMIS data will be entered by the BSC RPLOs and maintained or updated accordingly.
 - ADs will be responsible for determining the need for acquisition, construction, conversion and retention of quarters, as well as the degree of need for the standard level of furnishings required by the nature of the Location's activities or programs.
 - Furniture and household goods will not be provided in Rental Housing/Quarters except for Transient Quarters normally occupied on a transient basis at a few ARS Locations that maintain a 24-hour working staff, safety, and/or mechanical servicing accommodations or at isolated field locations where commercial hotel and sleeping facilities are not available within a reasonable distance. Justification must be provided and approval must be obtained to provide furniture and household goods as provided in Section 18 herein.
 - To avoid potential conflicts of interest, employees residing in quarters, or their subordinates, may not be involved in the appraisal, survey, or approval processes related to quarters furnishings, repair/maintenance, or alternations/improvements.
 - Unless otherwise requested by the AD and approved by the RPMB Chief, the Regional Survey Method will be used in lieu of an appraisal for determining and setting rents. If approved, RPMB will automatically request that IBC adjust the IAA charges.
 - All Federal employees occupying GFQ will pay rent. The Tenant will be permitted to have his/her immediate family, domestic partner, and dependents reside within the Quarters unit. Guests will be permitted to visit; a visit will not exceed 30 days.
 - The occupant/Permittee will be responsible for assisting the BSC RPLO in the completion of a Government Housing Inventory form for rent calculation purposes and accurately reporting the number of dependents/residents within quarters for utilization purposes.
 - Government quarters will not be subleased.
 - The AD and BSC Deputy Director (DD) Field Liaison & Customer Service may develop and approve additional location-specific policies or guidelines pertaining to the assignment and

utilization of quarters along with special conditions for Quarters on the *ARS-494*. Such conditions may address prohibitions or limitations regarding pets (i.e., cold or warm blooded, number and size limitations), tenant responsibilities, and identification of yard (i.e., 100 feet from quarters, within limits of fencing) area to be maintained by tenant.

4. Authorities and Limitations on Scope

- The authority to grant permissive use of property is not specifically granted by statute. It is incidental to the general authority to make the most effective use of property, the exercise of which is a function of the management of such property. Reference (a) addresses the responsibility of the head of an Executive department to prescribe regulations for the custody, use, and preservation of property.
- Reference (b) addresses the authority of any Agency head to provide an employee with quarters when conditions of employment or of availability of quarters warrant such action and delegates to the head of each Agency the authority to prescribe regulations, not inconsistent with the regulations of the President, necessary and appropriate to carry out the functions of the Agency head with regards to quarters.
- The authority to grant revocable permits is delegated to the RPMB in Reference (b). This is further delegated to each BSC RPLO under Reference (c). The authority is limited to property with an annual fair market rental value less than or equal to \$50,000. This authority may not be re-delegated.
- With respect to an *ARS-494* covering excess property, ARS acts only as agent for and on behalf of the General Services Administration (GSA) for property reported as excess to GSA under the authority of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 101 *et seq.*) and the Federal Management Regulations.
- This chapter does not cover the use of property otherwise covered under the ARS Real Property Management Manual entitled Revocable Permits.

5. Definitions

Administrative Adjustments - Office of Management and Budget (OMB) Circular A-45 authorizes certain adjustments that can be made to the base rent. These include adjustments for isolation, lack of site amenities, loss of privacy/restricted use, excessive size of quarters, inadequacy of quarters or need of temporary quarters/maintenance of two households. Such adjustments are intended to account for many of the differences in conditions between the established communities from which rental data is gathered, and the sites at which Government furnished quarters are located.

Appliances - Household devices operated by propane, solar, electricity or fossil fuel. Appliances include refrigerators, ranges, dishwashers, wood stoves, fireplace inserts, washers, dryers, televisions, radios, window air conditioners, irons, etc.

Bunkhouse/Dormitory - A housing unit classified as a dormitory or bunkhouse will have at least one of the following:

- Multiple bathroom fixtures such as several sinks, showers, and toilets in one bathroom.
- Multiple kitchen fixtures, such as several ranges, refrigerators, and sinks, or a lack of a kitchen.

Base Rental Rate (BRR) - The BRR is the rental value of the quarters before applying any administrative adjustments or charges for related facilities.

Comparable Housing - Comparable housing is housing in the private sector, which is generally equivalent in size to the rental quarters, with the same number of bedrooms, and with generally equivalent amenities and related facilities. Such housing is housing available on a landlord-tenant basis, with rental rates reflecting the fair market value of the accommodations. This is distinguished from housing rented on an employer-employee basis or between friends and relations, for which other considerations may influence the rental rates. In addition, other Government (Federal, State, or local) rental housing and housing provided by churches or religious societies is excluded from this definition of comparable housing.

Consumer Price Index or CPI - The CPI produces data on changes in the prices paid by urban consumers for a representative basket of goods and services. CPI adjustments are applied annually to rental rate of quarters. **Note: New CPI-adjusted rates will be effective at the beginning of the first pay period that starts on or after March 1 of each year.**

Consumer Price Index – Monthly Base Rental Rate or CPI - MBRR - This is the rental value of a GFQ that is equipped with a refrigerator, water heater, range, and floor and window coverings. Where applicable, this rate reflects exclusions of excess (closed off) and “Official Use” space. This rate is determined by a survey or appraisal analysis of market rental comparables. This rate does not include charges for related services or administrative adjustments.

Established Community - An established community is ordinarily the nearest population center (Metropolitan Statistical Area or an incorporated or unincorporated city or town) having a year-round population of 1,500 or more (5,000 or more in Alaska), provided that it has minimum essential medical facilities (i.e., at least one physician and one dentist) available to occupants of Government quarters on a non-emergency basis, and a private rental market with housing available to the general public. Population determinations will be based upon the most recently published decennial census of the U.S.

Furnishings - Furnishings include appliances, (at a minimum, cooking stoves and refrigerators) and other household effects necessary to provide a reasonable degree of livability in Rental Housing/Quarters. Furnishings do not include installed fixtures or equipment which is permanently affixed to and part of the rental unit (i.e. heating system, smoke detector, cupboards, range hood, or cabinets). **Note:** Property and services listed on the Government Quarters

Inventory contained in iQMIS may be provided by the Government; however, iQMIS includes charges for such property and services within the Net Rental Rate.

Government-Furnished Quarters or GFQ - Except as specifically excluded herein or by statute, includes housing units owned or leased by the Government for which the Government serves as landlord. The word “furnished” in this term means provided by the Government, and is not intended to imply that the Government has provided furniture, small appliances, equipment or other household effects. This term includes quarters supplied under specific Government authority to federal employees, contractors, contractor employees, and all other persons to whom housing is provided as an incidental service in support of Government programs. It includes, but is not limited to, Government-owned or leased single family dwellings, apartments, bunkhouses, dormitories, trailer pads, cabins, guard stations, and lookouts, mobile homes, house trailers, etc.

House - Single-Family Detached - A building containing one single housing unit designed for occupancy by one individual or family is a single-family detached house.

House - Single-Family Plexed - A building containing two or more single-family living units that are joined or connected. Plexed units are also referred to as duplexes, triplexes, row houses, townhouses, cluster homes, and patio homes.

Household Goods - These are uninstalled minor household goods articles (excluding furniture, appliances, equipment, and floor and window coverings) necessary for the operation of a household. These include cooking and eating utensils, bedding material, linens, wall hangings, and personal articles.

Insurance - Contractual coverage binding a party to indemnify against specific loss in return for premiums paid is called insurance. Tenants are strongly encouraged to obtain their own renter’s insurance. Although loss or damage of personal property may be covered by the Federal Tort Claims Act, such coverage requires proof of negligence or wrongful acts by the Federal Government.

Mobile Home - A moveable living unit that is located on a site where the wheels and axles have been removed, a skirt is installed around the unit, and the unit cannot be rapidly moved to another site. There are no restrictions on the size, length or width of a mobile home; it is classified as a mobile home solely on being disabled from immediate removal to another site.

Modular Housing - A structure that is partially fabricated at a factory and later assembled on site is referred to as modular housing. Such units of modular housing should be inventoried based upon their design (i.e., single-family house).

Optional Equipment and Furnishings - Includes equipment such as lamps, fans and furnishing such as rugs which may be provided for within quarters provided a request has been submitted and justification and approval obtained.

Other Services - Including, but not limited to, trash removal, lawn care, and snow removal.

Internet Quarters Management Information System or iQMIS - This Department of Interior, IBC system is an internet-based system that establishes rental rates for Federal employees living in Government-owned and/or leased housing. It contains a computerized housing inventory used to set rental rates. iQMIS rents and charges are established in compliance with the applicable references contained herein.

Reasonable Value - Reasonable value for rental quarters is to be measured by the test of equivalence (i.e., what the employee would pay for comparable housing in the open market). Reasonable value is the net rental charge resulting after adding charges for related facilities, and after administratively adjusting the Monthly Base Rental Rate (MBRR) or the CPI - MBRR.

Regional Surveys - A method of setting the BRR by means of a series of economic models using typical rental rates for comparable private housing in the general area in which the Government quarters are located.

Related Facilities - Related facilities are equipment, supplies, and services made available in connection with the occupancy of quarters including, but not limited to, appliances, utilities, equipment, and trash collection services.

Rent Class - Term used for housing classifications in iQMIS (i.e., house, mobile home, or apartment). The design of a structure rather than its use will determine rent class.

Rental Housing/Quarters - These are defined in OMB Circular A-45, revised as follows: "...all furnished and unfurnished quarters supplied under specific Government authority to Government employees, contractors, contractor employees, and all other persons to whom housing is provided as an incidental service in support of Government programs. It includes, but is not limited to, Government-owned or leased dwellings, apartments, bunkhouses, dormitories, trailer pads, cabins, guard stations and lookouts, mobile homes, house trailers, and housekeeping as well as non-housekeeping units. The term excludes tents, containers, housing which due to extreme deterioration is unsuitable for occupancy except in exigent circumstances, and "public quarters" designated for occupancy by members of the uniformed services with loss of allowances, but it includes quarters occupied by such personnel on a rental basis under 37 U.S.C. 403(e), 42 U.S.C. 1594a(f) and 1594b and other authorities."

Utilities - Electricity, oil, natural gas, propane, telephone, cable television, water, and sewer services.

Site Amenities - Difference in living conditions attributed to Government housing vs. established communities (i.e., water supply, police protection, etc.).

Transient Quarters - Quarters occupied for a period of 90 days or less within which household goods are furnished, provided written justification and approval has been obtained in accordance with Section 18 herein.

Temporary Quarters - Quarters occupied for the convenience of the Government for a period generally in excess of 60 days and for which no per diem is received.

6. References

- a. 5 U.S.C. 301
- b. Policies and Procedures (P&P) 115.0-ARS, Administrative Delegations of Authority dated March 30, 2006
- c. P&P 165.0 v2, Real Property Leasing Officer and Lease Delegations of Authority dated June 23, 2014
- d. 5 U.S.C. 5911
- e. 5 U.S.C. 5536
- f. OMB Circular No. A-45, Revised, October 20, 1993
- g. OMB Circular No. A-25, Revised, July 8, 1993
- h. 24 CFR § 35.88
- i. Public Law 98-473, Sec. 320, dated October 12, 1984, as amended by P.L. 100-446, Sec. 316,
- j. P&P 412.5 v3, Recruitment and Retention Incentives and Other Special Pay, dated March 10, 2014
- k. Federal Management Regulations, 41 CFR Parts 102-72 and 102-75

7. Abbreviations

| | |
|-------|--|
| AD | - Area Director |
| AO | - Administrative Officer |
| ARS | - Agricultural Research Service |
| BRR | - Base Rental Rate |
| CD | - Center Director |
| CFR | - Code of Federal Regulations |
| CO | - Condition of Employment |
| COG | - Convenience of the Government |
| CPI | - Consumer Price Index |
| BSC | - Business Service Center |
| DD | - Deputy Director Field Liaison & Customer Service |
| FD | - Facilities Division |
| GFQ | - Government-furnished Quarters |
| GSA | - General Services Administration |
| IAA | - Inter-Agency Agreement |
| IBC | - Interior Business Center |
| LC | - Location Coordinator |
| MBRR | - Monthly Base Rental Rate |
| NEC | - Nearest Established Community |
| NFC | - National Finance Center |
| OMB | - Office of Management and Budget |
| iQMIS | - internet Quarters Management Information System |
| P&P | - Policies and Procedures |
| RL | - Research Leader |
| RPLO | - Real Property Leasing Officer |
| RPMB | - Real Property Management Branch |

| | | |
|--------|---|-------------------------------|
| RRSR | - | Regional Rental Survey Report |
| SPO | - | Servicing Personnel Office |
| U.S.C. | - | United States Code |

8. Procedure for Processing Requests

Upon receipt of an application package for assignment to quarters, the BSC RPLO will review the documentation and ensure quarters assignment is in accordance with Sections 2 and 3 herein. In addition, the BSC RPLO will review the request with the head of the Location to determine whether or not the proposed occupancy is consistent with the Location's programs and operations. The application package should include:

- A Nomination Memorandum (Exhibit 6) from a Recommending Official to the BSC RPLO. The BSC RPLO will review this letter and prepare a cover memorandum to be vetted through the BSC DD to the AD regarding the recommendation for the employee to reside in Federally-owned quarters as a COG or COE appointment. The BSC DD and AD will sign their names and indicate "Approved" or "Denied". If approved, the prospective tenant will be placed on a waiting list or assigned to quarters, if available, and an *ARS-494* will be prepared and processed in accordance with Section 10 herein. **Note:** Employees occupying quarters as a COE appointment should consult with a tax attorney for tax advice regarding their quarters assignment and tax impacts.
- A *REE-16, U.S. Department of Agriculture, Research, Education, and Economics Occupancy of Federally Owned Quarters* (Exhibit 8). The *REE-16* must be signed by the employee, if the suggested appointment is to be a COE assignment. Upon approval, the AD will also sign this form.

If it is determined that Permittee's use of ARS real property is inconsistent with the policies set forth in Sections 2 and 3 herein or is otherwise determined to interfere with the ARS program, the request will be denied by the BSC RPLO. It is recommended that the denial be in the form of a written notification.

If it is determined that the use of ARS real property is consistent with Sections 2 and 3 and it is determined that the use will not interfere with the ARS mission at the Location, rental charges will be determined in accordance with Section 9 and the request processed in accordance with Section 10 herein.

9. Rental Charges

The determination of reasonable value of GFQ will be based upon an impartial study of comparable private rental housing. There are two methods which may be employed to determine the BRR. Results of either method will provide the reasonable rental value to the Federal employee based upon comparable rental properties. Non-federal employees should be assessed fair market value in accordance with that of open markets and no administrative adjustments should be made; such factors should have been considered in the valuation process.

The first method, regional survey, creates a series of economic models based upon a survey of comparable private rental properties throughout the region. The second method, appraisal, involves direct comparison with individual private rental housing units in the established community.

Regional survey or appraisal results will be reviewed by the BSC RPLO prior to implementation to assure that they are fair and reasonable and that the method used to implement rental charges was developed in accordance with the provisions of this Chapter. Each BSC RPLO will be responsible for ensuring records regarding recommendations and adjustments of the appraiser and/or regional survey are kept to support the implementation of rents and justify administrative adjustments.

- **Regional Surveys**

Field surveys are performed in the form of a private rental survey. IBC provides procurement support and project coordination for these surveys which are to determine and establish reasonable quarters rents, through an analysis of the market rents of comparable private housing in established communities nearest to concentrations of Government housing. Comparables include properties that closely match the specific subject properties in physical characteristics and location. Adjustments are made for all significant differences. The goal of these regional surveys is to produce reasonable rents that are relatively consistent with the local market rents for similar housing and are logical from one unit to another.

Each RRSR is prepared for comparable housing classes for which a representative sample can be readily obtained within the private rental market. IBC selects comparables built to Housing and Urban Development minimum housing standards, wherever possible. Each class of comparables is analyzed separately.

The Quarters Operations Office of IBC establishes charts for MBRRs for the various classes of rental housing which include size/age tables for the three major categories of housing and contain rental adjustments that are used to produce a net rent for individual quarters. Each RRSR received by RPMB is circulated to the applicable BSC RPLO(s) for review and comment prior to implementation. Comments received by RPMB are compiled and submitted to the iQMIS Program Manager to address.

- **Appraisals**

ARS recognizes that an independent appraisal may be justified in some cases (i.e., the addition of new quarters). If the AD determines that an independent appraisal is justifiable for determining quarters rental charges, a written request to perform and utilize an appraisal will be submitted to the Chief, RPMB for approval. Upon approval being granted, RPMB will request the IAA with IBC be adjusted; however, costs associated with an independent appraisal will be borne by the Location. Preparation of the General Specifications for the Appraisal Report (Exhibit 9) and Statement of Work for the Appraisal (Exhibit 10) should be prepared by the BSC RPLO and derived from this chapter to ensure compliance with

Reference (f), policy and uniformity of BRRs within ARS. Requirements for the Appraiser Certification are also provided (Exhibit 11).

If the appraisal method is authorized, *ARS Form 11, Appraisal of Quarters Furnished Federal Employees* (Exhibit 12), and *ARS Form 261, Quarters Comparison and Appraisal Documentation* (Exhibit 13), will be completed by the appraiser for inclusion in the appraisal report. Appraisal reports will be prepared in narrative form and will include, at a minimum, all essential data to disclose the purpose of the appraisal, the scope of the appraisal problem, and the principal methods and reasoning processes employed, along with all available pertinent supporting data to sustain the appraiser's final conclusion as to the MBRR based on the requirements of Reference (f). To ensure a uniform approach to valuation, the appraiser will be limited to comparing the GFQ units with current comparable market rentals in the established community nearest to the subject GFQ. However, if there is no rental market in the nearest established community for one or more classes of housing, the appraiser will collect comparable rental data for those rental classes from the next closest community meeting the established community criteria. No less than three private rental units must be utilized for comparative purposes in establishing the base rental rate for each housing unit.

Qualifications of Appraiser: Whenever the services of a contract fee appraiser are to be used to determine the reasonable rental value for quarters, it should be anticipated that he/she may be required to testify as an expert witness in legal proceedings. Therefore, it is necessary that the appraiser selected have the necessary qualifications and credentials to perform the assignment. When possible, the appraiser should have experience with conducting appraisals for the Federal Government and have been certified in accordance with Title XI of the Financial Institutions Reform, Recovery and Enforcement Act of 1989 and not reside in GFQ. In addition, the appraiser must have a nationally recognized designation (i.e., Member of the Appraisal Institute, Society of Real Estate Appraisers). Consideration should be given to the following:

- Best qualified appraiser(s) to appraise the type of property to be acquired
- Timeframe within which the appraiser proposes to complete the appraisal
- Appraiser's ability as expert witness(es) in legal proceedings
- The appraiser's estimated fee

Scope of assignment: Solicitation for appraisals are to include the following information: the purpose of the requirement; identification of the property(ies) to be appraised and site inspection availability; and identification of any pertinent data available for the appraiser's review, such as construction plans, existing quarters inventory information, applicable regulations (i.e., OMB Circular No. A-45, Revised) and existing forms to be used.

Questionable valuation: The reviewing official must be satisfied with the appraisal report. If, upon completion of the analysis, the reviewing official is not in agreement with the appraiser's estimate of value, method of arriving at such value, or the supporting data upon which it is based, the appraiser will be consulted to resolve such differences.

Prohibition against disclosure of appraisal information: Appraisals are obtained solely for use by the Government and may form the basis of testimony in actions of condemnation. Disclosure by contract appraisers and/or Government personnel of the values reported and valuation approaches used to estimate such values is prohibited, except to authorized Government personnel. Authorized Government personnel will be considered to be those personnel directly concerned with and responsible for the consummation of a project. The Statement of Work for Appraisal must include a statement instructing the appraiser that the findings and opinion of value will not be divulged to anyone other than the proper officials of the ARS, unless otherwise authorized in writing.

- **Charges for Related Facilities**

Utilities: It is Government policy to minimize energy consumption. Occupants of GFQ are required to pay for the actual cost of utilities used. Utilities should be furnished by a private company and billed directly to the occupant, whenever possible. When Government-furnished utilities are provided, such utilities will be metered or measured (i.e., kilowatt hour), where practicable. The rate for utilities furnished by the Government will be the same as the residential rate for these utilities in the NEC or survey area used in determining the BRR. The consumed amount of Government-furnished utilities that are individually metered or measured will be determined by actual readings.

When Government-furnished utilities are not individually metered or measured, consumption will be determined on the basis of an analysis of the average amounts of utilities used in comparable private housing in the NEC or survey area. Where the Government furnishes utilities and quarters rental rates are established by the regional survey method, the utility rates will be the regional average utility rates prescribed in the RRSR and not the prevailing rates in the NEC.

Furnishings: If there is an inadequate market of comparably furnished housing for purposes of comparison with furnished quarters, the rents on otherwise comparable unfurnished private units may be used as a comparable for the BRR and adjusted by a reasonable charge for furnishings. The administrative adjustment should be based on actual replacement costs allocated over the useful life of the furnishings.

Other services: Charges for other services provided by the Government, including but not limited to laundry, trash and garbage removal, lawn care and snow removal will be based upon prevailing rates for such services in the NEC when the appraisal method is used or survey area when the survey method is used.

- **Administrative Adjustments**

Additional adjustments in the form of deductions from the BRR are appropriate in the specific situations described below. The total deduction for all reasons must not be excessive; resulting in a rental rate to the tenant that is less than the reasonable value of the quarters since this would constitute a supplementation of salary. The rental rate after all adjustments must not be less than 50 percent of the BRR, unless an adjustment for isolation has been made. In

cases where an isolation adjustment is made, the rental rate may be set at not less than 40 percent of the BRR.

Site Amenities: Living conditions at some Government housing sites are not always the same as those within the survey communities. Where the rental charge for comparable housing includes the values of utilities, furnishings, or other services, downward adjustments to obtain the BRR will be based on the prevailing rates for such in the NEC (i.e., appraisal method) or survey area (i.e., survey method). The value of furnishings and other services may be based upon national average costs when data is available.

- **Reliability and adequacy of water supply:** The water delivery system at the quarters site, including wells, should provide potable water free of discoloration or odor (reference local potable water regulations), at adequate pressure at usual outlets. If this amenity is not present at the quarters' site, deduct 3 percent from the MBRR or the CPI - MBRR.
- **Reliability and adequacy of electric service:** Service must equal or exceed a 100-ampere power system capable of providing 24-hour service under normal conditions (occasional temporary outages are considered normal). If an adequate backup generator is available, the amenity will be rated as present regardless of the reliability of the primary power source. If this amenity is not present at the quarters site, deduct 3 percent from the MBRR or the CPI - MBRR.
- **Reliability and adequacy of fuel for heating, cooling and cooking:** There should be sufficient fuel storage capacity to meet prevailing weather conditions and cooking needs. Fuel includes electricity and fossil fuel. Where electricity is used to heat, cool, or cook, this adjustment is to be made only when the deduction above applies. If this amenity is not present at the quarters site, deduct 3 percent from the MBRR or the CPI - MBRR.
- **Reliability and adequacy of police protection:** Law enforcement personnel, including Government employees with law enforcement authority, should be available on a 24-hour basis. Availability is defined as the ability to respond to emergencies as quickly as if located in, or adjacent to, an established community. If this amenity is not present at the quarters site, deduct 3 percent from the MBRR or the CPI - MBRR.
- **Reliability and adequacy of fire protection:** Fire insurance should be available with the premium charge based upon a rating equal to the rating available to comparable housing located in or adjacent to the NEC; or, in the alternative, adequate equipment, adequate water or fire retardant chemical supply, and trained personnel (i.e., trained volunteers) should be available on a 24-hour basis to meet foreseeable emergencies. If either element is present (i.e., comparable insurance rating or adequate firefighting capability) no adjustment may be made. If this amenity is not present at the quarters site; deduct 3 percent from the MBRR or the CPI-adjusted BRR.
- **Reliability and adequacy of sanitation service:** An adequately functioning sewage disposal system and a solid waste disposal system, whether community or individually provided, should be available. Individual sewage disposal systems (i.e., septic, cesspool,

or other) will be considered adequate even though they may require periodic maintenance, as long as they are useable during periods of occupancy. If the amenity is not present at the quarters site, deduct 3 percent from the MBRR or the CPI - MBRR.

- **Reliability and adequacy of telephone service:** Commercial telephone facilities should be available.
 - ▲ If telephone service (either private or party line) is not available both within the quarters and within 100 yards of the quarters, deduct 3 percent from the MBRR or the CPI - MBRR.
 - ▲ If telephone service (either private or party line) is available within 100 yards of the quarters, but not in the quarters, deduct 2 percent from the MBRR or the CPI - MBRR.
 - ▲ If telephone service is available in the quarters, but is not private line and/or is not accessible on a 24-hour basis (i.e., occasional temporary outages are considered normal), deduct 1 percent from the MBRR or the CPI - MBRR.
- **Noise and odors:** If there are significant and frequent disturbing noises or offensive odors at the quarters' site, deduct 3 percent from the MBRR or the CPI - MBRR.
- **Miscellaneous improvements:** One or more of the following improvements should be present: paved roads, sidewalks, or streetlights. If one or more of these improvements are present at the quarters site, no deduction is authorized. If none of these improvements is present at the quarters site, one percent may be deducted from the MBRR or the CPI - MBRR.
- **Isolation:** In some cases, the Government supplies quarters in Locations where minimal community services are available but only at some distance from the quarters. In addition, travel conditions or mode of transportation may serve to further isolate some employees from minimal community services. In situations where the quarters location and the travel categories meet the requirements contained in OMB Circular A-45, an isolation adjustment should be applied; specific computation guidance is provided within the applicable RRSR.
- **Loss of privacy or restricted use:** Administrative adjustments in the BRR are allowed for loss of privacy, or for Government imposed restrictions upon the use of the quarters. In each case, the BSC RPLO, in coordination with the head of the Location, will make a special determination of the specific conditions making certain that the conditions have not already been reflected in establishing the BRR. To qualify for this adjustment, it must be determined that the occupant's use and enjoyment of the quarters has been seriously diminished by constant and substantial infringement on the private family area, or by restrictions imposed by Federal agencies.
 - ▲ **Loss of privacy:** If occupants are subject to loss of privacy during non-duty hours by virtue of continual and substantial repeated public visits (i.e., occurring several times daily) or inhibited from enjoying the full range of activities normally associated with

rental occupancies due to restrictions imposed by Federal agencies, a deduction up to 10 percent from the MBRR or the CPI - MBRR may be authorized. Proportional reductions will be made in situations of less frequency, such as repeated public visits which are limited to a six-month period each year which might warrant only a five percent deduction.

- ▲ **Restricted use:** When the Head of the Agency determines that the use of a portion of the quarters is required for official business (i.e., office, storage, or for the exclusive accommodation of the general public or official visitors and the occupants of the quarters are restricted from using the space as living space) the loss of living space should be reflected by an adjustment to the MBRR. Such space should be considered “official use space” and the value of the space will be excluded from the MBRR. Or, when a quarters occupant is prohibited from enjoying the full range of activities normally associated with rental occupancies due to written agency instructions or regulations.
- **Quarters of excessive or inadequate size or quality:** If there is a lack of housing of appropriate size or quality, an employee may be provided Government quarters of a size or quality either excessive or inadequate to that which the prudent employee would have selected in the private community. In these exceptional circumstances, the BRR will be reduced by up to 10 percent in direct proportion to the degree of the excess or deficiency. This reduction will not continue beyond one month after the availability of either appropriate rental quarters or private housing, except when the BSC, in coordination with FD, determines that the reassignment of quarters will not serve to benefit the Government.
- **Excessive heating and cooling costs:** A deduction from the BRR is permissible if quarters require an unreasonable additional expense to the employee for heating or cooling because of poor design, the lack of all-weather construction or other related factors. The amount of the deduction will be determined as follows: if the rental quarters in question require expenses to the occupant in excess of 25 percent for the heating or cooling season over the average of heating or cooling for comparable housing in the same area and climate zone as determined by a suitable survey or appraisal. The BSC, in coordination with FD, may determine that the excessive costs (i.e., those in excess of 25 percent over the average) may be deducted from the annual rental rates.
- **Transient and Temporary Use of Quarters for Other than Temporary Duty Assignments**
 - ▲ **Transient tenants:** Charges for quarters occupied on a transient basis (90 days or less) will be assessed at rates equivalent to private housing of comparable type and quality. There are two ways to charge rent for transient quarters. The first is based on the transient rental rate which is determined by Survey Region. This rate assumes that the tenant will not have all their own household goods. The rental charges include a once monthly maid service (i.e., maid service is providing linens and cleaning) fee plus a 20 percent administrative fee. This rate is not calculated by iQMIS. The second is based upon the iQMIS Rate, if the transient quarters are entered into iQMIS as

inventory. The iQMIS Rate would be based on the reasonable monthly rental rate to be divided by 30 days for the nightly rate or four and one-third weeks for the weekly rate.

- ▲ **Temporary tenants:** The charges for quarters occupied on a temporary basis are adjusted when a permanent employee occupies quarters on a temporary basis (normally more than 60 days) for the convenience of the Government and does not receive per diem while transferred to a field location under certain circumstances. If the employee maintains two households, one permanent and one temporary, the agency is authorized to adjust the rental rate so that the combined rent or rent and mortgage payment paid during the period of occupancy is not excessively burdensome. The adjustment may not exceed 20 percent of the iQMIS BRR of the quarters unit. Note: If the employee is on a temporary work assignment, at the request of the Government, and is being paid travel per diem, the rent charged should be equal to the lodging portion of the per diem rate in lieu of rent.

- **Cyclical and Annual Adjustments**

Adjustments based on surveys or appraisals: BRRs established for rental quarters will be affirmed or adjusted by a survey or appraisal of the private rental market, as follows:

- At least every fifth year or when the BRR for the quarters has been increased by 40 percent through application of the U.S. City Average Revised CPI for Urban Wage Earners and Clerical Workers, Rent Series, whichever occurs first; or
 - Any year when changes in the private rental market in the NEC indicate a need to adjust BRRs of a survey or appraisal of the rental market. Note: IBC will issue annual CPI notifications to RPMB; these will be forwarded to the BSC RPLOs for implementation.
- ▲ **Adjustments based on changes in the CPI:** Annual adjustments in the BRR will be made by applying the percent change in the CPI from the month and year that the last regional survey or reappraisal of the private rental market was conducted. The new rates will be effective at the beginning of the first pay period that starts on or after March 1 of each year. Though effective in March, the adjustment will be based on the preceding September CPI data to provide the required lead time.
 - ▲ **Annual adjustments for isolation:** The Isolation Adjustment Factor will be recomputed each year. The recalculation will reflect the Government mileage allowance for automobiles published by GSA as of the last day of September each year. The new isolation adjustment factor will be used to compute the monthly isolation adjustment applicable to rents being charged starting with the first full pay period in March of each year. This is done to coincide with the implementation of rental rates adjusted by the CPI each year.
 - ▲ **Annual adjustments of utilities:** To ensure that rates for Government-furnished utilities keep pace with current costs, they will be adjusted annually. Where appraisals are used, the rate will be the average residential rate for the utility and services in the

NEC as of the last date of September. Where surveys are used, utility costs will be adjusted by amounts coinciding with the changes in the appropriate components of the September CPI. The new utility rate will be charged in the first full pay period in the following March to coincide with the CPI adjustment to rental rates.

- ▲ **Newly acquired quarters:** Rates for newly acquired quarters will be the same as those prevailing for similar Government quarters in the area. If there are no established rates, an initial survey or appraisal to establish valid and realistic comparability with private rental facilities will be made upon acceptance of newly acquired quarters, and the corresponding rental rates will be made effective upon occupancy. The initial CPI adjustment in rental rates will be adjusted annually by applying the percentage change in the CPI rent series from the month and year that the last baseline regional survey or appraisal was conducted.
- ▲ **Incremental adjustments:** If surveys, appraisals or annual adjustments increase rental and related facilities charges by 25 percent and/or \$100 or more above current charges, such increases may be imposed incrementally over a period not to exceed one (1) year, on the condition that they be applied in equal increments on at least a quarterly basis. If the increase in charges is less than 25 percent or \$100, bureaus/offices must implement the increase in full. This incremental implementation does not apply to initial occupancy, but only to Tenants/Permittees currently occupying the affected GFQ. Incremental implementation is not applicable to Non-federal Tenants/Permittees.

- **Qualifications and Extensions**

The principle of comparability with private rental practice may be modified under the conditions described below:

- **Extension of comparability:** For lack of available alternative quarters, employees must sometimes occupy space for use as quarters which are generally unsuitable for that purpose. Such space may be unsuitable, for example, because it was originally built for seasonal occupancy only, or because it was not originally built for use as quarters. In other instances, quarters may be suitable only for particular types of occupancy, such as rooming houses, bunkhouses, bachelor quarters, residence hotel-type structures, barracks-type structures, or guard stations and lookouts. If no comparable rental data can be obtained, or professional appraisals are not made rental rates will be determined by the square footage occupied at a rate equivalent to one-half the BRR per square foot charged for the nearest adequate ARS rental quarters or the nearest adequate rental quarters, or any other Federal agency. This determination will be made by the BSC RPLO in coordination with the head of the Location. This rate will apply only to the BRR of the quarters, with additions thereto for all other related facilities at rates comparable to those in the area.

Rental and other charges will be based upon designed capacity and, when so determined, will remain in effect for each occupant without regard to fluctuations in the number of occupants from time-to-time either above or below designed capacity. In buildings where space is assigned for occupancy of several persons or families, common-use space in the

building will be distributed to all occupants in proportion to the space assigned for the sole occupancy of each, to determine the number of square feet chargeable to each. Common-use space includes, for example, washrooms, stairs, hallways, storage, lobby, and lounge areas.

- **Instances of hardship.** In certain hardship cases where continued occupancy of quarters by former Federal employees and dependents or dependents of deceased Federal employees may continue to occupy Federally-furnished quarters for a period normally not to exceed 60 days. Such occupants would be required to continue to pay the established rental rate; however, the form of payment would be check or money order made out to USDA-ARS. The payment would be submitted to the Administrative Officer at the location.

10. Revocable Permits for Quarters

Occupancy of quarters may not be addressed through a Cooperative Agreement or Memorandum of Understanding. The realty instrument for assignment of quarters is the *ARS-494* (Exhibit 14). Three copies of this form are to be prepared in accordance with the following guidelines:

Block 1: (From) Complete the name and address of the appropriate BSC Office issuing the Permit.

Block 2: (Permit No.) A permit number is inserted behind "FY" in Block 2. This number is comprised as follows: 57 (for Real Property Contract) - XXXX (the four-digit Organizational Code) - XX (Fiscal Year) and – XXX (three-digit sequential control number). A logbook or spreadsheet for all *ARS-494* permits issued, including those for ARS Quarters, should be maintained by the BSC RPLO.

Block 3: (Date Issued) Upon execution by the BSC RPLO, this field should be completed with the date signed by the BSC RPLO.

Block 4: (Amendment No.) If the *ARS-494* is modified in any way, the amendment number should be indicated in this block. Amendments should be numbered sequentially and contain the revised wording for the entire *ARS-494* versus merely any changes.

Block 5: (Date Issued) The date of issuance for the amended *ARS-494* should be reflected here.

Block 6: (Period of Use) "From." Indicate the date when the Permittee will be allowed to use ARS real property. "Through." Indicate the date when the Permittee's use of ARS real property will terminate. In no case will this date exceed five (5) years.

Block 7: (Permittee) Indicate the complete name, title, address and telephone number of the employee who will be occupying the quarters.

Block 8: (Government Representative) Name, title, address, and phone number of the BSC RPLO is to be inserted in this block.

Block 9: (Purpose) State the intent for which the real property will be used (i.e., “Government residence to be used exclusively for housing and occupied solely by the Permittee and his/her dependents.”).

Block 10: (Description of Property) Indicate the residence number, address, name of the Location and the City and State where the real property is located. Include the total amount of square feet and “all grassed area definable as “lawn” or “yard”. Attach a drawing or map if available and identify such as an exhibit to the *ARS-494*.

Block 11: (Special Conditions) Indicate any special condition(s) that pertain to the Permittee's use of the property. This block should also include “Page # of #” on subsequent pages of Special Conditions and include a statement regarding the Permittee’s receipt of iQMIS Screen Prints.

Block 12: (BSC RPLO or Authorized Representative) The Name and Title of the BSC RPLO should be filled in. Upon having the Permittee sign and date the permit, the BSC RPLO will sign and date this block and fill in Block 3.

General Terms and Conditions: (reverse side of the *ARS-494*)

- Condition 6 should have a period of time (i.e., number of days) inserted. Generally, 30-60 days is used as the period of notification.
- Condition 8 should have a period of time (i.e., number of days) inserted. Generally, 30-60 days is provided for removal of property.

Exhibits: Additional exhibits may be incorporated by reference (i.e., yard diagram defining the Tenant’s/Permittee’s area of responsibility).

Executed *ARS-494* permits and amendments thereto will be distributed as follows:

| | |
|----------|------------------|
| Original | BSC RPLO |
| Copy | Tenant/Permittee |
| Copy | Location |

11. Certificate of Acceptance and Condition Report

When the occupant takes possession of Federally-owned quarters or immediately prior thereto, an inspection of the property will be made and the Location Representative will prepare a Certificate of Acceptance (Exhibit 16) for the quarters. This should be signed by the Tenant and Government Representative at the termination of check-in inspection. A Condition Report (Exhibit 17) is also prepared by the Location Representative during a joint inspection with the resident.

The purpose of making a joint inspection of the property and preparing a Condition Report is to determine and show the condition of the property at the time the occupant assumes possession in order to avoid any questions as to the condition of the property at that time.

The Condition Report will be prepared and three copies made for distribution. The report for some properties will not require the same detail as other larger or more complex properties. Accordingly, sufficient factual information and detail should be obtained and included in the report so as to avoid future controversies as to condition in which the quarters were initially received. Photographs should be made a part of the Condition Report. Detailed photographs should be taken, especially if there is excessive wear and tear or damage that is difficult to describe. Photographs should be labeled with the Residence Number and Date. Photographs should be taken of any defects in the unit (i.e., broken plumbing, cracks, and damaged countertops).

The Condition Report will be signed and dated by the resident and Location Representative, and BSC RPLO preparing the report. Any difference of opinion should be clearly set forth in the report. The fully executed Condition Report will be distributed by the BSC RPLO as follows:

| | |
|-----------------------------------|------------------|
| Original with photographs | BSC RPLO |
| Copy with photocopied photographs | Tenant/Permittee |
| Copy with photocopied photographs | Location |

12. Lead Paint Disclosure Requirements

Written notice of disclosure of lead-based paint to all GFQ tenants in qualifying housing is a legal requirement per Reference (h). The required lessor's disclosure document must be signed by the Tenant/Permittee and BSC RPLO. These forms are available within iQMIS. The fully executed disclosure is distributed by the BSC RPLO as follows:

| | |
|----------|----------------------------------|
| Original | BSC RPLO |
| Copy | Tenant/Permittee |
| Copy | Location |
| Copy | Servicing Personnel Office (SPO) |

The Tenant/Permittee must also be issued a federally approved Lead Hazard Information pamphlet which is also available within iQMIS. In addition, any *ARS-494* for quarters constructed prior to 1978 will include disclosure and acknowledgement of lead-based paint hazards and reference the above-referenced disclosure document and pamphlet issued to the Tenant/Permittee.

13. Rate Appeals Procedure

Employee-tenants have the right to contest any aspect of the quarters management and rental rate establishment process. Employee-tenants may request reconsideration of rental rates, adjustments, or other charges, whenever they believe the quarters have been improperly classified by erroneous factual determinations, or rates have not been established according to current guidelines or those of Reference (f). Non-federal tenants may not seek reconsideration/appeal. An appeal may not be submitted simply because the rent has been recalculated to account for the required annual CPI adjustment.

However, in years when a new survey is implemented a tenant may appeal a new rent if it is significantly more than in the NEC for the same size and type of housing unit.

The reconsideration request or appeal must be in writing and outline in detail the basis for the request and the name(s) of the occupant(s) participating in the request for reconsideration. The request will be filed with the BSC RPLO within 30 days following receipt of the notice of change in rate.

The submission of a request for reconsideration or appeal will not delay implementation of the revised rental rates and related facilities charges. However, the employee will be credited with any overpayment that results during the period from the date of the rental increase to the date of modification, if the request results in a modification. Conversely, the employee will pay the Government for any underpayment, if any, that results during the reconsideration period.

An Appeals Board, consisting of two or more persons, will be appointed by the BSC RPLO to review and evaluate appeal requests. The BSC RPLO will issue a decision on the request within 30 days of initial receipt. The Tenant/Permittee will bear the burden of proof on a request for reconsideration and subsequent appeal as to questions of fact.

Appeals or requests for reconsideration submitted after 30 days will not be considered unless sufficient written justification, acceptable to the BSC RPLO is provided, giving reasons why the appeal could not have been filed within the specified period.

14. Notification of Rental Payment

Payment by Salary Deductions: For agency employees, a *REE-17, Rates for Quarters and Services Furnished to Federal Employees* (Exhibit 18), will be prepared by the BSC RPLO, signed and dated by the employee and distributed in accordance with the guidance below. The form will be completed with all pertinent information, and will be used for all rental actions including reappraisal adjustments and for the amount to be deducted from the employee's salary.

Charges will be made on a pro rata basis when quarters are vacated prior to the end of a full rental period. This form must be signed and returned by the quarter's occupant within 15 days from receipt. If an appeal or *REE-17* has not been received within the 15-day period, the form will be prepared and processed without the employee's signature. The new rate will be effective on the date indicated on *REE-17*.

Preparation of the *REE-17*: The form will be prepared when any of the following situations occur. This form should include a bolded remark within the REMARKS section if the employee is occupying the residence as a Condition of Employment to ensure the SPO properly codes the deductions for reflection on the employee's W-2 Form, Wage and Tax Statement.

- **New Tenant (Action – Establish):** When an employee occupies quarters for which deductions must be made from his/her salary.

- **Location Change (Action – Change):** When an employee moves from one unit to another at the same Location.
- **Additions or Deletions (Action – Change):** When facilities, utilities, or services furnished are changed in a manner which will require an adjustment of the rates.
- **Change in BRR (Action – Change):** When there is a change in rate of occupied quarters.
- **Termination (Action – Terminate):** When an employee terminates assignment or the Government initiates termination.

Distribution of the *REE-17*: When the forms have been fully executed, the copies will be distributed by the BSC RPLO as follows. The SPO will ensure that the National Finance Center is notified to implement or cease payroll deduction based upon a fully-executed *REE-17*.

| | |
|----------|------------------|
| Original | BSC RPLO |
| Copy | Tenant/Permittee |
| Copy | SPO |
| Copy | Location |

Other Forms of Payment: Quarters occupied by Non-Agency or Non-federal employees on a permanent, transient or temporary basis as described herein will be covered by form *ARS-494* and subject to all applicable regulatory guidance. If the BSC RPLO, in coordination with the Location and AD, determines that it is advantageous to the Government to permit Non-Agency or Non-federal occupancy, applicable utility and rental charges may be collected. Payment must be in the form of check or money order payable to USDA-ARS. On a limited basis, some quarters are available for overnight lodging to Location visitors on official business and formal assignment documentation is not necessary for such lodging. See Section 20 herein.

Debt management will be addressed in accordance with 7 CFR Part 3.

15. Administration of Revocable Permits

The BSC RPLO will administer all *ARS-494* permits for use of real property. Annual compliance inspections will be made to insure that Permittees are complying with the terms and conditions of the permits. Such inspections will be in full coordination with the occupant and be sufficiently broad to determine if any unauthorized use is being made of the property. It is recognized that personnel limitations may preclude performance of inspections as often as may be desired; therefore, the BSC RPLO needs to establish a working relationship with Locations to assure that inspection requirements are being met.

16. Termination of Revocable Permits

If a determination is made by the BSC RPLO that a Permittee has failed to fulfill or comply with his or her obligations under a permit, or if termination/eviction is necessary for any other purpose, the BSC RPLO will coordinate with the Location and the occupant to terminate the *ARS-494* for said occupancy permit pursuant to the termination provisions thereof. The BSC RPLO will complete a *REE-17* and prepare a Report of Termination/Eviction Memorandum (Exhibit 19).

Except when occupancy is through COE appointment, the Permittee may terminate the *ARS-494* by providing the BSC RPLO with a written Notice of Termination. The Tenant/Permittee will relinquish possession of the property to the Government onsite representative in accordance with the terms and conditions of the permit, including any restoration requirements.

A Report of Termination or Notice of Termination will be distributed as follows:

| | |
|----------|------------------|
| Original | BSC RPLO |
| Copy | Tenant/Permittee |
| Copy | Location |
| Copy | SPO |

17. Use of Rents

The use of rents collected from quarters rentals is to be deposited in a special fund (known as Quarters Account) to remain available until expended for the maintenance and operation of the housing program per Reference (i). **These funds cannot be used for the acquisition (by purchase or construction) of new or replacement quarters.** The following examples of authorized uses are provided to assist BSCs and Locations:

- Maintenance and repair of quarters
- Quarters maintenance inspections
 - Maintenance and repair of water and sewer lines between quarters and the mains
- Maintenance and repair of streets, streetlights, driveways and sidewalks in the immediate vicinity of quarters
- Installation, maintenance and repair of utility systems which provide direct service to quarters
- Acquisition, installation and repair of appliances and furnishings in Rental Quarters/Housing, so long as attributable to normal wear and tear
- Acquisition, installation, repair and replacement of household goods in Transient Quarters, so long as attributable to normal wear and tear
- Costs directly associated with the disposal of housing, furnishings, household goods and appliances used in quarters

Since the rental income from one or more quarters may not collectively cover all required maintenance (i.e., septic system replacement), annual appropriations may also be used for the maintenance of both occupied and unoccupied quarters, so long as the unit is not excess to ARS needs and is considered mission related. There may be instances where the maintenance and upkeep of required quarters may exceed the rents collected and a decision to expend annual appropriations would be subject to fund holder approval and building authority compliance.

18. Procedures for Requesting New or Replacement Furnishings, Household Goods, or Alterations

Upon receipt of a request for the acquisition of new or replacement furnishings, household goods, or procurement of goods or services to alter the quarters unit, the following procedures are to be followed:

Administrative Officer (AO) makes an initial determination as to whether the furnishings, household goods, or alterations are required before preparing a written justification which identifies the Transient Quarters, specifies the type of furnishings, household goods, or alterations required, and the reason why they are necessary. Should the AO be a resident of GFQ, the initial determination will be made by the Location Coordinator (LC), Research Leader (RL) or Center Director (CD). The AO prepares a written justification which is submitted to the CD, RL, or LC for concurrence. In all cases, the reviewer and approver must be separate individuals.

CD, RL, or LC reviews the justification and provides concurrence or non-concurrence and forwards the documentation to the BSC RPLO.

BSC RPLO reviews the documentation and submits a final decision, in writing, to the AO and CD, RL, or LC. On a case by case basis, the BSC RPLO may request concurrence from the AD.

19. Acquisition, Retention and Disposal of Quarters

In accordance with Reference (f) and OMB Circular A-11, *Preparation, Submission and Execution of the Budget*, as well as ARS Policy, the AD will determine what additional, if any, quarters are needed and determine if construction of new facilities is appropriate. Upon ensuring existing owned, leased or otherwise-managed quarters are utilized at a rate exceeding 95% and contingent upon obtaining the required building authority and funding, the AD will determine, by statistical study, the requirements for the acquisition of housing. Compliance with maximum and minimum net floor areas per Reference (f) is required for any newly acquired units. The AD will also be responsible for determining if quarters will be retained for use.

Annually, quarters are surveyed as part of the Federal Real Property Profile. If a determination is made that a quarters is no longer essential to the mission of ARS or not being put to optimum use, a quarters may be rented to an employee of another USDA Agency or to an employee of another Government agency. Quarters may be converted for other uses when the nature, value or location of the unit could be utilized for a different and significantly higher and better use. In

such cases, the BSC RPLO must notify the FD RPLO within RPMB to delete the quarters from the IAA. The BSC RPLO should delete the quarters from the iQMIS database and update the asset record to reflect the modified Predominant Usage and Sub-Category, etc. within the Corporate Property Automated Information System.

After considering a quarters for alternative uses, if the asset remains excess to agency needs, the asset should be declared excess and offered to other USDA agencies for transfer, offered for sale, or disposed of in accordance with Reference (k). In the case of disposal, disposal documentation will be provided to RPMB in accordance with the ARS Real Property Management Manual chapters pertaining to disposals and accountability and control. Prefabricated movable structures, such as mobile homes (with or without undercarriages) may be disposed of as personal property.

20. Federal Quarters Occupied by Non-Federal Tenants

Assignment and use of federal quarters to a non-federal tenant will be covered by an *ARS-494*, issued directly to the tenant (student, State employee or fellowship recipient) or the cooperating institution (University) by the BSC RPLO. An *ARS-494* issued to a University, where University employees or students are participating in a formal collaborative research program, permits the University to oversee daily occupancy and enforcement of the special conditions, as well as the general terms and conditions pertaining to the use of the federal quarters covered therein. When an *ARS-494* will be issued directly to the non-federal tenant, the potential non-federal tenant must include a copy of the active Cooperative Agreement, Non-Funded Cooperative Agreement, Interagency Agreement, or Fellowship Program Award with their application for quarters. Only applications submitted by potential non-federal tenants who provide mission-related services to the Agency will be considered.

In accordance with Reference (g), user charges (rent and associated charges for Government-provided utilities) for those occupying quarters under the above-mentioned agreements or awards may be collected to cover the full cost to the Federal Government of providing the service (living quarters) and resources (Government-provided utilities and services), except when the AD makes an exception, in writing. The Location will provide the AD with documentation as to the mission-related services being provided by the potential tenant. **The AD may make an exception to reduce or waive recovery costs based on his/her review of the documentation.** Any exceptions or waiver must be documented and forwarded to the BSC RPLO for file retention. **If applied, the rental rate must not exceed the non-federal rental rate in iQMIS.**

Payment of charges for rent and services will be paid by the tenant via electronic fund transfer, cashier's check, or money order, made payable to USDA-ARS. Cashier's checks or money orders must be submitted to the AO of the Location. In accordance with current regulatory requirements, any associated user charges collected will be deposited in a special Agency fund to remain available until expended, for the maintenance and operation of the quarters.

Tenants covered by this Section must meet all additional application/occupancy requirements. Non-federal applicants that are foreign nationals and a citizen of a country on the

State Sponsors of Terrorism list **may not** visit or occupy quarters unless a documented exception has been granted. If a foreign national from a country on the State Sponsors of Terrorism list has obtained a documented exception from the Director of Human Resources Division, an exception to occupy quarters may also be requested through the Director, FD. Such applicants must include a copy of the granted exceptions with their application for quarters.

For assignment/waiting list purposes, non-federal applicants will be given lower priority than Federal tenants who are nominated for quarters as a Condition of Employment or Convenience of the Government.

21. Quarters Supplied to ARS employees by Non-Federal Agencies


The furnishing of rent-free or reduced rate quarters to ARS employees by non-federal agencies is prohibited. Should a Federal employee occupy quarters at a State Experiment Station, the State entity is expected to receive fair and reasonable rental payments, by check or money order from the Federal tenant.

Nino Fleri
Director, Facilities Division

Exhibits

1. Monthly Rent Computation Schedule (iQMIS screen print)
2. Quarters Inventory (iQMIS screen print)
3. Tenant Rent Notice (iQMIS screen print)
4. Quarters Assignment Agreement (iQMIS screen print)
5. Lead-Based Paint Disclosure (iQMIS screen print)
6. Nomination Memorandum
7. Recommendation Memorandum
8. *REE-16, Occupancy of Federally Owned Quarters* (Required for Condition of Employment assignments only)
9. General Specifications for the Appraisal Report
10. Statement of Work for Appraisal
11. Appraiser Certification
12. *ARS Form 11, Appraisal of Quarters Furnished Federal Employees*
13. *ARS Form 261, Quarters Comparison and Appraisal Documentation*
14. *Form ARS-494, Revocable Permit*
15. Rules and Regulations Governing Conduct on Federal Property
16. Certificate of Acceptance
17. Condition Report
18. *Form REE-17, Rates for Quarters and Services Furnished to Federal Employees*
19. Report of Termination/Eviction Memorandum
20. Cleaning Checklist (Sample)

**Monthly Rent Computation Schedule
(iQMIS Screen Print)**

| | | | | |
|---|-----------|---|-------------------------------------|----------|
|  | | Government Housing Rent Computation Schedule | | 3/1/2013 |
| 4 bedroom (3 used), 2.00 bath (1.00 used), | | sq ft House, built in | years old, Fair/Fair condition | |
| Installation | ARS - | CPI | 2013 CPI | |
| Housing Unit | | Survey | 2009 | SURVEY |
| Survey Region | Caribbean | Prepared By | | |
| Rent Class | House | Date Prepared | 3/1/2013 | |
| Effective Date of Rent | 4/7/2013 | Reason | Application of Consumer Price Index | |

| BASE RENT | | Federal | Non-Federal |
|---|-------|----------------|--------------------|
| Chart Rent | \$ | | |
| Exterior Condition - Fair | (\$) | | |
| Interior Condition - Fair | (\$) | | |
| Location Adjustment for MAYAGUEZ, PR | (\$) | | |
| MONTHLY BASE RENT (rounded) | | \$ | \$ |
| CPI Adjustment (4.90% of Monthly Base Rent) | | \$ | \$ |
| MONTHLY CPI-ADJUSTED BASE RENT - MBRR (rounded) | | \$ | \$ |

| ADMINISTRATIVE ADJUSTMENTS | | Federal | Non-Federal |
|--|-------|----------------|--------------------|
| Isolation | \$ | | |
| Adjustment (0.00% of MBRR) | \$ | | |
| CALCULATED ADMINISTRATIVE ADJUSTMENT | \$ | | |
| Max Allowable Adjustment (50% of MBRR) | (\$) | | |
| ADMINISTRATIVE ADJUSTMENT (Min of Calculated vs Max Allowed) | | \$ | \$ |

| RELATED FACILITIES | | Federal | Non-Federal |
|------------------------------|----|----------------|--------------------|
| Sewer | \$ | | |
| Trash Disposal | \$ | | |
| Water | \$ | | |
| TOTAL RELATED FACILITIES | | \$ | \$ |
| NET MONTHLY UNIT RENT | | \$ | \$ |

| HOUSING RENT | | Federal | Non-Federal |
|---|--|----------------|--------------------|
| Net Monthly Tenant Rent (1 planned tenant) | | \$ | \$ |
| Net Biweekly Tenant Rent (1 planned tenant) | | \$ | \$ |
| Net Daily Tenant Rent (1 planned tenant) | | \$ | \$ |

Exhibit 1

Quarters Inventory

(iQMIS Screen Print)


| | | | | | |
|---|--|-------------------------------------|--|----------------------|--|
|  | | Government Housing Inventory | | 3/1/2013 | |
| Agency | | ARS - | | | |
| Installation | | | | | |
| Housing Unit | | | | | |
| Survey Region | | Number of Planned Tenants | | | |
| Rent Class | | Seasonal Use Only | | | |
| Last Inspection Date | | Justification is Approved | | | |
| Historic Status | | | | | |
| Property Location ID | | | | | |
| Property Asset ID | | | | | |
| Leased Unit | | | | | |
| Trially Managed/Operated | | | | | |
| Nearest Established Community | | | | | |
| <hr/> | | | | | |
| One-way miles between housing unit and nearest established community | | | | | |
| <hr/> | | | | | |
| Paved Road | | Unpaved/Improved Road | | Unimproved Road | |
| | | | | Water/Special | |
| | | | | Air | |
| <hr/> | | | | | |
| Date Built | | Carbon Monoxide Detectors | | | |
| Interior Condition | | Smoke Detectors | | | |
| Exterior Condition | | Fire Sprinklers | | | |
| Handicap Accessible | | | | | |
| Garage Carport | | | | | |
| Lead Based Paint (LBP) | | | | | |
| Related Assets / Comments | | | | | |
| <hr/> | | | | | |
| | | Basement (sq ft) | | First Floor (sq ft) | |
| | | | | Other Floors (sq ft) | |
| <hr/> | | | | | |
| Finished | | | | | |
| Unfinished | | | | | |
| Official Business Use | | | | | |
| Unused Finished | | | | | |
| <hr/> | | | | | |
| | | Number of Rooms | | Number Used | |
| <hr/> | | | | | |
| Rooms | | | | | |
| Bedrooms | | | | | |
| Bathrooms | | | | | |
| Dorm Rooms | | | | | |
| <hr/> | | | | | |
| Adequate Water Service | | | | | |
| Adequate Electric Service | | | | | |
| Adequate Fuel for Heating/Cooking | | | | | |
| Adequate Police Protection | | | | | |
| Adequate Fire Protection | | | | | |
| Adequate Sanitation | | | | | |
| Noise and Odors OK | | | | | |

Exhibit 2, Page 1 of 2

Quarters Inventory (Page 2)
(iQMIS Screen Print)


Sidewalks
Streetlights
Paved Streets
Phone
Loss of Privacy %
Excessive Size %
Inadequate Size %
Additional Charges \$
Additional Deductions \$
Excessive Heating/Cooling

| Utility | Pay Option | Average Monthly Usage | Average Monthly Cost |
|----------------|-------------------------------|-----------------------|----------------------|
| Electricity | Tenant Pays Provider Directly | 0 kWh | \$ |
| Sewer | Billed in Rent - No Meter | 0 gal | \$ |
| Trash Disposal | Billed in Rent | 0 month | \$ |
| Water | Billed in Rent - No Meter | 0 gal | \$ |

| Property/Service | Fuel | Number Provided |
|------------------|-------------|-----------------|
| Range | Electricity | 1 |
| Refrigerator | Electricity | 1 |
| Water Heater | Electricity | 1 |

| Tenant Name | Tenant Appliance | Fuel | Number Provided |
|-------------|------------------|-------------|-----------------|
| | Freezer | Electricity | 1 |
| | Microwave Oven | Electricity | 1 |
| | Washer | Electricity | 1 |

**Tenant Rent Notice
(iQMIS Screen Print)**

| | | | | |
|---|--|--|--|--------------------------------|
|  | | Government Housing Tenant Rent Notice | | 3/1/2013 |
| 4 bedroom (3 used), 2.00 bath (1.00 used), | | sq ft House, built in | | years old, Fair/Fair condition |
| Installation | | CPI | | 2013 CPI |
| Housing Unit | | Survey | | |
| Survey Region | | Prepared By | | |
| Effective Date of Rent | | Date Prepared | | |
| Occupant | | | | |
| Arrival Date | | | | |
| Federal Employee | | Yes | | |
| Type of Payment | | Quarters Rent | | |
| Rent Payment Method | | Payroll Deduction | | |

In accordance with the Housing Unit Assignment Agreement and the provisions of OMB Circular A-45, it has been determined that an adjustment in your monthly rental rate is necessary for the following reason

Application of Consumer Price Index.

The previous net biweekly tenant rent was \$ (\$ monthly, \$ daily) calculated as of 3/10/2013.
The new net biweekly tenant rent is \$ (\$ monthly, \$ daily).
The foregoing is an decrease of \$0.00 biweekly (\$0.00 monthly, \$0.00 daily).

RECEIPT ACKNOWLEDGED

Occupant's Signature or Certified Mail Receipt Number _____
(Signed Certified Mail Receipt indicating receipt by Occupant must be filed.)


Date Filed _____

NOTICE OF APPEAL RIGHTS: You have the right to appeal this adjustment. Appeals shall be adjudicated as of the date the appeal is filed. The filing of the appeal shall not result in postponing implementation of a proposed rate pending adjudication of the appeal. Where an appeal results in a revision of the rental rate, the employee shall be credited with whatever over payment may have resulted during the period from the filing of the appeal to the date the decision is implemented.

Form DI 1882

Exhibit 3

Quarters Assignment Agreement (iQMIS Screen Print)

| | | | | |
|---|-------------------|--|------------|-----------|
|  | | Government Housing Assignment Agreement | | 3/1/2013 |
| bedroom (used), | bath (used), | sq ft House, built in | years old, | condition |
| Installation | ARS - | CPI | 2013 CPI | |
| Housing Unit | | Survey | 2009 | SURVEY |
| Survey Region | | Prepared By | | |
| Effective Date of Rent | | Date Prepared | | |
| Occupant | | | | |
| Arrival Date | | | | |
| Federal Employee | Yes | | | |
| Type of Payment | Quarters Rent | | | |
| Rent Payment Method | Payroll Deduction | | | |

The Agricultural Research Service (hereinafter called the Agency/Bureau) hereby assigns to the above named occupant the government housing unit described above.

Net Tenant Rent shall be \$ Biweekly (\$ Monthly, \$ Daily) as indicated on the attached Rent Computation Schedule.

Rent shall be payable biweekly or daily through salary deductions in accordance with 5 USC 5911(c). The rent shall be subject to automatic periodic adjustments due to rental surveys and annual inflation adjustments required by OMB Circulars A-45 and A-25. The occupant will be notified in writing at least 30 days in advance of the rent adjustment. Baseline rental surveys or appraisals are usually conducted every 4 years. Annual adjustments shall become effective at the beginning of the first full pay period in March of each year. A new Government Housing Assignment Agreement will be required only when rates are revised pursuant to a baseline survey or appraisal.

Occupancy of the subject housing unit shall begin on . If the occupant is an Agency/Bureau employee, occupancy shall end upon expiration of the occupant's employment at this location, unless previously terminated at the option of either party upon 30 days written notice. If the occupant is not an Agency/Bureau employee, occupancy shall end on (date) unless previously terminated at the option of either party upon 30 days written notice.

As part of the consideration set forth above, the Agency/Bureau will furnish the occupant with the equipment, utilities, and other services indicated on the attached Rent Computation Schedule.

REQUIRED OCCUPANT
Occupancy of the subject housing unit by the named occupant is not mandatory under the definition of required occupancy.

Form DI 1881

Exhibit 4, Page 1 of 2

Quarters Assignment Agreement (Page 2)
(iQMIS Screen Print)



**Government Housing General
Terms and Conditions**

3/1/2013

1. Occupant may be evicted by the Agency/Bureau for: (1) breach of this agreement; (2) refusal to sign this or subsequent Government Housing Assignment Agreements; (3) termination of this agreement; or (4) for being a serious threat to the public health and welfare.
2. The premises shall be used for residence purposes only. It shall not be assigned or sublet by occupant in whole or in part, nor shall any business be conducted on the premises unless authorized in writing by the Agency/Bureau head or his/her designated representative.
3. Occupant shall keep the premises in clean, slightly and safe condition at all times and, upon vacating, will leave the housing unit, including appliances and furnishings, in a clean and orderly condition. Upon occupancy and vacancy, a Housing Occupancy/Vacancy Inspection Form shall be completed and signed by occupant and designated Agency/Bureau representative.
4. Occupant shall notify the Agency/Bureau of maintenance needs but shall make no repairs, alterations, improvements or additions to the premises, unless authorized in advance in writing by the Agency/Bureau. All alterations, improvements or additions so authorized and made shall become and remain the property of the United States.
5. Occupant shall be charged normal rent for the housing unit during temporary periods of absence unless housing is vacated by occupant or temporarily assigned to another paying tenant during absence of occupant.
6. Occupant shall occupy the housing unit and control his/her family and guests in such a manner as not to interfere with Agency/Bureau operations at the installation.
7. The Agency/Bureau will maintain the housing unit, and the Installation Manager, or his/her designated representative shall have free access to the premises at all reasonable hours with prior notice to occupant for the purposes of examining the same and to make repairs or alterations, except for emergency situations.
8. Any damage to the premises resulting from neglect of the occupant, except reasonable wear and tear, shall be repaired by occupant in accordance with No. 4 above. Any repairs so occasioned may be made by Agency/Bureau and the cost to same to be reimbursed by occupant by cash payment or payroll deduction or cash collection within 14 days.
9. As Government liability under the Military Personnel and Civilian Employees Claims Act, or the Tort Claims Act, is limited, the tenant should strongly consider carrying property/renters insurance.
10. Occupant agrees first to follow any procedural steps contained in relevant Agency/Bureau notices, including, when appropriate, the occupant's right to respond within a stated time to the asserted ground(s) of eviction. Thereafter, occupant agrees that he/she may assert any substantive or procedural defenses to a pending or proposed eviction only as permitted in a court of competent jurisdiction. Except as provided in Agency/Bureau notices, there is no intended right of administrative appeal regarding a proposed action to evict the occupant or related procedures to effectuate the eviction.
11. Other Conditions:

Agency/Bureau Representative: _____ Date: _____
Occupant: _____ Date: _____

NOTICE OF APPEAL RIGHT: You have the right to appeal rental rate adjustments, or other charges. Appeals shall be adjudicated as of the date the appeal is filed. The filing of an appeal shall not result in postponing implementation of a proposed rate pending adjudication of the appeal. When an appeal results in a revision of the rental rate, the employees shall be credited with whatever may have resulted during the period from the filing of the appeal to the date the decision is implemented.

Form DI 1881

Lead-Based Paint Disclosure (iQMIS Screen Print)


| | | | | | |
|---|--|--|--|-----------------|--|
|  | | Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards | | 3/1/2013 | |
| Agency | | ARS - Agricultural Research Service | | | |
| Installation | | | | | |
| Housing Unit | | | | | |
| Lead Warning Statement | | | | | |
| <i>Housing built before 1978 may contain lead-based paint. Lead from paint, paint chips, and dust can pose health hazards if not managed properly. Lead exposure is especially harmful to young children and pregnant women. Before renting pre-1978 housing, lessors must disclose the presence of known lead-based paint and/or lead-based paint hazards in the dwelling. Lessees must also receive a federally approved pamphlet on lead poisoning prevention.</i> | | | | | |
| Lessor's Disclosure | | | | | |
| (a) Presence of lead-based paint and/or lead-based paint hazards: | | | | | |
| <u>EPA Pamphlet: Protect Your Family From Lead in Your Home, was given to tenant 7/22/2005.</u> | | | | | |
| (b) Records and reports available to the lessor: | | | | | |
| <u>No safety LBP testing has ever been done at the Location or Business Service Center Level per the BSC Safety Officer and Location Admin. Officer.</u> | | | | | |
| Lessee's Acknowledgment (initial) | | | | | |
| (c) _____ Lessee has received copies of all information listed above. | | | | | |
| (d) _____ Lessee has received the pamphlet <i>Protect Your Family from Lead in Your Home</i> . | | | | | |
| Agent's Acknowledgment (initial) | | | | | |
| (e) _____ Agent has informed the lessor's obligations under 42 U.S.C. 4852d and is aware of his/her responsibility to ensure compliance. | | | | | |
| Certification of Accuracy | | | | | |
| The following parties have reviewed the information above and certify, to the best of their knowledge, that the information they have provided is true and accurate. | | | | | |
| _____ Lessor | | _____ Date | | _____ Lessor | |
| _____ Lessee | | _____ Date | | _____ Lessee | |
| _____ Agent | | _____ Date | | _____ Agent | |

Exhibit 5

Nomination Memorandum



United States Department of Agriculture
Research, Education, and Economics
Agricultural Research Service

(DATE)

SUBJECT: Nomination Letter for Assignment to Quarters

TO: Jane Doe
Real Property Leasing Officer
_____ Business Service Center

FROM: _____
Research Leader
_____ Area

I am requesting that Dr. Robert Smith, Veterinarian, of the (insert name of Research Unit) be assigned (insert proposed quarters assignment.) Due to severe winter weather conditions at this location and our being 20 miles from the nearest established community, having an experienced employee who is willing to provide emergency animal caretaker services, including feeding and milking our 50-head herd of cattle, would benefit the Government.

I recommend Dr. Smith be offered the identified vacant residence on site as a Convenience of the Government appointee.

Should you have any questions or which to discuss this nomination, please contact me on (###) ###-####.

cc:
(insert Area Director's name)



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Exhibit 6

Recommendation Memorandum



United States Department of Agriculture
Research, Education, and Economics
Agricultural Research Service

(DATE)

SUBJECT: Convenience of the Government Quarters Recommendation

TO: _____, Area Director
_____, Area, ARS

FROM: Jane Doe, Realty Specialist
Real Property Leasing Officer
_____ Business Service Center

Approval is requested for Dr. Robert Smith, Veterinarian within the (insert the name of the Research Unit), to occupy Residence (insert quarters number) as a Convenience of the Government to provide efficient response to emergencies for cattle, as needed, during inclement weather or electrical outages. Dr. Smith would not only provide medical care, but feeding and milking services.

Enclosed is a copy of the recommendation letter from the (insert the name of the Research Unit) Research Leader. If this request is approved, the term shall not exceed five years; however, Dr. Smith's appointment may be extended, if the need for him to live on site remains.

Prior to assigning Dr. Smith to Government-owned quarters, your concurrence or denial is requested. Based on your response, I will proceed accordingly.

Enclosure

cc:

(insert the name of the Deputy Director Field Liaison & Customer Service at the respective Business Service Center)
(insert RPLO's supervisor's name)



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REE – 16

| | |
|--|------|
| U.S. Department of Agriculture Research, Education, and Economics | |
| OCCUPANCY OF FEDERALLY OWNED QUARTERS | |
| EMPLOYEE INFORMATION | |
| NAME OF EMPLOYEE | |
| POSITION TITLE | |
| LOCATION OF LIVING QUARTERS | |
| DUTY STATION | |
| AGREEMENT STATEMENT | |
| <i>For the convenience of the Government, it is understood and agreed to by the employee named above that he/she must occupy Federally owned quarters as a condition of employment in the above-identified position. It is further understood and agreed to by said employee that the employee may not vacate the living quarters so long as he/she occupies the position, without specific authority in writing by the Area Director. However, nothing in this agreement shall preclude said employee from being required to vacate the quarters he/she occupies if it is in the interest of the Agricultural Research Service.</i> | |
| SIGNATURES | |
| AGREED TO BY EMPLOYEE (SIGNATURE) | DATE |
| APPROVED BY AREA DIRECTOR (SIGNATURE) | DATE |
| Form REE-16 (10/1997) This form was electronically produced by USDA/ARS/OCIO/AD | |

Exhibit 8

General Specifications for the Appraisal Report

The appraisal report is a document used to support, and to justify in part, the decisions made by management and for the implementation of MBRRs. In preparing the appraisal report, the appraiser should be mindful of the fact that the appraisal report, as well as the appraiser, may be subpoenaed into court or become the subject of investigation by the Committee of the Congress. Therefore, it is essential that its contents reveal that the appraiser has made an intelligent and adequate study and analysis of the appraisal problem, has considered all available, pertinent and reliable data, and that he/she has used sound and logical reasoning in developing his valuation conclusions.

1. FORMAT

The report will be bound in durable cover with a typewritten label on the face thereof, identifying the appraised property. The paper used will be a good grade bond (the heavier the better, in order to withstand repeated usage) of size 8-1/2 x 11 inches. All pages will be numbered consecutively from the beginning of the report to the end, including maps, plans, photographs, and exhibits, and each important heading will be shown in the Table of Contents.

2. OUTLINE

To provide uniformity, the text will be divided into three parts: Part I, Part II, and Part III. The report will contain tabulations or schedules of supporting data, with a brief explanation of their connection with the narrative sections of the report. Computation data in support of the approach(es) to value should be included. The following specified outline may vary, dependent upon the type of property being appraised. Of necessity, additional data will be required in the case of highly specialized properties. At times, certain items may be deleted (as in the case of land valuation only). Generally, however, the following outline contains the minimum information required and the omission of any item will be justified by narrative.

PART I

Title Page

- 1. Table of Contents**
- 2. Letter of Transmittal**
- 3. Photographs**
- 4. Statement of Limiting Conditions**
- 5. References**

General Specifications for the Appraisal Report (Page 2)

PART II – ANALYSES AND CONCLUSIONS

1. Purpose
2. Legal Description
3. City of Area Data
4. Neighborhood Data
5. Property Data (for Subject and Comparables)
 - a. Site
 - b. Improvements
 - c. Equipment
 - d. Condition
 - e. Assessed Fair Market Rental Value
 - f. Zoning
 - g. History
6. Analysis of Fair Market Rental Value
7. Detailed findings by approach(es)
8. Appraiser's Opinion of Value by approach(es)
9. Certification

PART III – ADDENDA

10. *Location Map (Within the City or area)
11. *Comparable Data Map (Showing Geographic location of the Appraised Property and the Comparable Properties Analyzed.)
12. Detail of the Comparative Data (Narrative)
13. *Plot plan and/or site map
14. *Floor plans
15. Other Pertinent Exhibits
16. Qualifications of licensed or certified contact appraiser, including specific designations

***All maps and plans may be bound as facing pages opposite the description, tabulation, or discussions they concern.**

Statement of Work for Appraisal

STATEMENT OF WORK FOR APPRAISAL

The Agricultural Research Service (ARS) requires an appraisal of :

for the purpose of determining the fair market rental value of said Government-furnished quarters based upon the comparison of the present rental rates, in the private rental market, of comparable single-family homes in _____ area. U.S. Department of Housing and Urban Development, Fair Market Rent Values (FMRV) may not be used. The fact that the quarters being appraised are located on Government-owned property is not to be considered, or factored into the establishment of the FMRV.

The appraiser is hereby advised that the appraisal report findings **will not** be divulged to anyone other than the proper officials of the ARS, unless otherwise authorized in writing.

The following items should be provided by the appraiser in the proposal and/or the appraisal report:

1. The *General Specifications for the Appraisal Report* describes in detail the format and items to be included in the appraisal report. The appraiser will provide a statement in the proposal that this format will be followed in the appraisal report.
2. The appraiser certification is to be included in the appraisal report. The appraiser will provide a statement in the proposal that this certification will be included in the appraisal report.
3. A description of the property to be appraised, including a plat or site map, will be provided in the appraisal report. Based upon availability, a description and any available survey or map will be furnished by ARS. Additionally, related regulatory material or references utilized by ARS may be requested by the appraiser.
4. The appraiser must have a current license or certification within the State or Territory in which the appraisal is being conducted and possess a recognized professional designation, i.e., Member of the Appraisal Institute (MAI), or Society of Real Estate Appraisers (SREA). The appraiser will provide evidence of his/her educational background in both the proposal and the appraisal report.
5. The appraiser must have experience in performing appraisals for the Federal Government and should provide evidence of this experience in both the proposal and the appraisal report.

Statement of Work for Appraisal (Page 2)

6. The appraiser must have experience in performing appraisals on the type of property to be appraised. The appraiser should provide evidence of this experience in both the proposal and the **appraisal report**.
7. Three (3) copies of the appraisal report, with those items listed in paragraph 10 herein, will be required. The following individuals should receive copies of all relevant documents :

Chief, Real Property Management Branch
USDA, ARS
5601 Sunnyside Avenue, Building 4
Beltsville, Maryland 20705-5123
301-504-1224 – voice
301-504-1236 – fax

Business Service Center Realty Specialist

Research Leader/Location Coordinator

8. The appraiser will contact the BSC and/or Location for the purpose of admission and directions to the property(ies) to be appraised as follows:

9. The appraisal report will be completed within thirty-one (31) workdays after official notice to proceed.

10. Three phases of work will be conducted under the SOW, as follows:

Phase I - The appraiser will provide ARS with the nearest established community data, in writing, to the ARS contacts shown in item number 7, within seven (7) workdays after the notice to proceed. The appraiser will proceed only when directed by ARS. ARS will review the

Statement of Work for Appraisal (Page 3)

appraiser's recommendations and advise the appraiser within five (5) workdays after receipt of the appraiser's conclusion whether to proceed.

Phase II - The appraiser will provide a preliminary estimate(s) of fair market rental value and baseline information pertaining to the comparables being used, in writing, to the ARS contacts shown in item number 7, within seven (7) work days. The appraiser will proceed only when directed by ARS. ARS will review this information and advise the appraiser within five (5) work days after receipt.

Phase III - After review by ARS of the preliminary estimate(s) of fair market rental value and upon direction from ARS, the appraiser will proceed to complete the appraisal report. The report will be submitted to the ARS contacts shown in item number 7, within seven (7) workdays, for final review and approval. The appraiser must provide evidence of a license or certification after July 1, 1991, as required by Title XI of the Federal Institutions Reforms, Recovery, and Enforcement Act of 1989 (FERREA).

Additional items to be included and/or considered in the appraisal report are as follows:
(Include any items or conditions unique to the appraisal.)

Appraiser Certification

APPRAISER CERTIFICATION

I hereby certify that:

- The statements of fact contained in the report are true and correct;
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions, limiting conditions, and legal instructions, and are the personal, unbiased professional analysis, opinions, and conclusions of the appraiser;
- I have no present or prospective interest in the property appraised and no personal interest or bias with respect to the parties involved;
- The compensation received by the appraiser for the appraisal is not contingent on the analyses, opinions, or conclusions reached or reported;
- The appraisal was made and the appraisal report prepared in conformity with the *Uniform Appraisal Standards of Professional Appraisal Practice (USPAP)*;
- I have made a personal inspection of the property(ies) herein appraised and that I have also made a personal field inspection of the comparable rentals relied upon in making said appraisal;
- That the property owner(s), or his/her/their designated representative, were given the opportunity to accompany me during my inspection.

I contacted him/her/them by _____ on _____
(Phone, Mail, etc.) (Date - Month and Day)
20_____. _____ did/did not accompany me.
(Year) (Name/Names)

- No one provided significant professional assistance to me in performing this appraisal. (If professional assistance was provided the appraiser, the name of the individual(s) providing such assistance must be stated and their professional qualifications should be included in the addenda of the appraisal report. This requirement includes both professional appraisal assistance and providers of subsidiary assistance, e.g., planning and permitting consultants, engineers, cost estimators, marketing consultants.);
- I understand that the report may be used in connection with the rental of Federal quarters and may be submitted to the United States Congress and its Committees;

Appraiser Certification (Page 2)

- the report has been made in conformity with applicable State laws, regulations and policies and procedures regarding the appraisal of real property;

- I have not revealed and will not reveal the findings and results of the report to anyone other than the proper officials of the ARS and will not do so unless so authorized by ARS, in writing, unless required to do so by due process of law, or until released from this obligation by having publicly testified as to such findings; and

- *That my opinion of fair market rental value for Quarters _____ as of the _____ day of _____, 20____, is _____ based upon independent appraisal and the exercise of my professional judgment.*

Signature

Date-MM/DD/YYYY

ARS FORM 11

| APPRAISAL OF QUARTERS FURNISHED FEDERAL EMPLOYEES | | 1. STATION LOCATION | |
|---|--|---|--|
| INSTRUCTIONS: Prepare an original and 4 COPIES. Original retained by RAO. 1 copy to Employee; 1 copy to Official in Charge of Field Location; 1 copy to SPO; 1 copy to Area Director. See AM 245.1. | | 2. BUILDING NO. | 3. LOCATION OF BUILDING |
| | | 4. NAME OF PRESENT OCCUPANT | |
| | | 5. GRADE | 6. SALARY |
| ANNUAL RATE SCHEDULE | | | |
| BASIC RENTAL RATE - Based on rates prevailing for comparable private housing before any adjustments. | | QUARTERS BASIC RENTAL RATE A | ADJUSTMENTS (Amenities and unusual transportation - explain) B MINUS (-\$) |
| | | | RECOMMENDED RENTAL RATE C |
| 7. Shelter rent | | \$ | \$ |
| PERSONAL ADJUSTMENTS | | | % OF 7A |
| 8. Imposition on space for official use (If approved in writing) | | | (-\$) |
| 9. OTHER (Specify) | | | (-\$) |
| LIMITATION- (All Shelter Rent and Personal Adjustments may not exceed 50% of Quarters Basic Rental Rate, item 7A, except not to exceed 33% when transportation deduction exceeds \$45.00 per month) | | 10. QUARTER'S RENTAL RATE \$ | |
| Occupants of Government quarters shall obtain utilities and services from and pay direct to commercial sources. | | | |
| UTILITIES AND SERVICES (All charges are calculated on the basis of prevailing local domestic rates) | CHECK IF EMPLOYEE PAYS DIRECT TO COMMERCIAL SOURCES A | GOVERNMENT BILLS EMPLOYEE DIRECT AT COMMERCIAL RATE (Amount) B | RATE FOR COMPARABLE PRIVATE SERVICE C (Leave blank if entry in Col. A or B) |
| | | | ADJUSTMENTS (Explain each on reverse) D |
| | | | RECOMMENDED RATE TO BE DEDUCTED E |
| 11. Electricity | | \$ | \$ |
| 12. Telephone | | | |
| 13. FUEL (Specify type and Use) | | | |
| 14. | | | |
| 15. Water | | | |
| 16. OTHER (Specify) | | | |
| 17. | | | |
| 18. Subtotals | | \$ | -\$ |
| 20. DATE APPRAISAL COMPLETED | 19. TOTAL RENTAL RATE-UTILITIES AND SERVICES (Item 10C plus item 18E) | | \$ |
| CHAIRMAN OF SURVEY BOARD OR REALTY SPECIALIST 1 | | | |
| 21. SIGNATURE | 22. TITLE | 23. ADDRESS | |
| 24. COMMENTS AND EFFECTIVE DATE | | | |
| 25. APPROVED (Signature) | | 26. TITLE | 27. DATE |

ARS Form 261

| QUARTERS COMPARISON AND APPRAISAL DOCUMENTATION | | | | 1. LOCATION | |
|---|-----------------|--------------|---------------------|--|--|
| NOTE: Private quarters should be observed. Pictures may be taken for the record. RAO retain original in Real Property file. | | | | 2. NEAREST ESTABLISHED COMMUNITY | |
| | | | | 3. GOV. QUARTERS NO. | |
| | | | | 4. MILEAGE (Boundary to Residence) | |
| 5. SOURCE OF INFORMATION (Name, Address, and Phone No.) | | | | 6. ADDRESS OF PRIVATE RESIDENCE | |
| | | | | 7. ANNUAL RENTAL RATE (Private qtrs.) | |
| COMPARISON OF QUARTERS | | | | | |
| | GOVERNMENT A | PRIVATE B | | GOVERNMENT A | PRIVATE B |
| 8. Dimensions of building | | | 14. Kitchen | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input type="checkbox"/> |
| 9. Type of construction | | | 17. Dining room | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input type="checkbox"/> |
| 10. Heat system (Specify type, i.e. central heating, space heaters, single vent outlet, etc.) | | | 18. Living room | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input type="checkbox"/> |
| | | | 19. Sun porch | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input type="checkbox"/> |
| 11. Exterior condition | | | 20. Garage | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input type="checkbox"/> |
| 12. Interior condition | | | 21. OTHER (Specify) | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input type="checkbox"/> |
| 13. Floor area above basement | sq. ft. | sq. ft. | 22. OTHER (Specify) | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input type="checkbox"/> |
| 14. No. bedrooms | | | 23. OTHER (Specify) | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input type="checkbox"/> |
| 15. No. bathrooms | | | 24. OTHER (Specify) | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input type="checkbox"/> |
| 25. COMPUTATION OF ANNUAL QUARTERS RENTAL RATE | | | | | |
| | | | | | |

ARS Form 261 (Page 2)

| UTILITIES AND SERVICES SUPPLIED | | | | | |
|---------------------------------|--|--|---|--|--|
| | GOVERNMENT | LESSOR | | GOVERNMENT | LESSOR |
| 26. Electricity | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input type="checkbox"/> | 31. Furnishings (Specify in item 38) | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input type="checkbox"/> |
| 27. Gas | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input type="checkbox"/> | 32. Trash collection | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input type="checkbox"/> |
| 28. Water | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input type="checkbox"/> | 33. Telephone | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input type="checkbox"/> |
| 29. Sewer or septic tank | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input type="checkbox"/> | 34. OTHER (Specify) | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input type="checkbox"/> |
| 30. Fuel for heat | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input type="checkbox"/> | 35. OTHER (Specify) | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input type="checkbox"/> |

All occupants of Government quarters shall obtain services and utilities from and pay direct to commercial sources. If not obtainable, government may supply such utilities and services. If "Yes", checked in any item 26 thru 35, complete items 36 thru 38.

36. UTILITIES AND SERVICES METERED OR MEASURED AND SUPPLIED BY GOVERNMENT TO OCCUPANT

ELECTRICITY ☐ GAS ☐ WATER ☐ FUEL FOR HEAT ☐

(If metered or measured by Government, charges must be based on local domestic rates. If not metered or measured by Government, charge should be based on rate for a local comparable house or as estimated by public utility or other qualified source)

37. APPLIANCES USED

REFRIGERATOR ☐ GAS STOVE ☐ ELECTRIC STOVE ☐ DEEP FREEZE ☐ AIR CONDITIONER ☐ GAS WATER HEATER ☐ ELECTRIC WATER HEATER ☐

38. EACH UTILITY OR SERVICE FOR WHICH A GOVERNMENT CHARGE MUST BE MADE, SHOW THE LOCAL COMMERCIAL COST, RATE SCHEDULE COMPUTATIONS, QUALIFIED SOURCE OF INFORMATION (Public Utility, Private Firms, etc.) AND JUSTIFY THE CHARGES ESTABLISHED.

Exhibit 13, Page 2 of 4

ARS Form 261 (Page 3)

| 39. AMENITIES (Each amenity is assigned the value of two percentage points) | | | | | |
|--|----------------------------------|------------------------------|-----------------------------|------------------------------|-----------------------------|
| | | GOVERNMENT | | PRIVATE | |
| | | (+) | (-) | (+) | (-) |
| 1. Paved streets | | | | | |
| 2. Street lighting at least at intersections | | | | | |
| 3. Sidewalks | | | | | |
| 4. Lawns, trees and landscaping | | | | | |
| 5. General attractiveness of the neighborhood * | | | | | |
| 6. Community sanitation services (Government or Private) * | | | | | |
| 7. Reliability and adequacy of water safe for household use * | | | | | |
| 8. Reliability and adequacy of electrical service * | | | | | |
| 9. Reliability and adequacy of telephone service * | | | | | |
| 10. Reliability and adequacy of fuel for heating, hot water and cooking * | | | | | |
| 11. Police protection at station or in community | | | | | |
| 12. Fire protection at station or in community | | | | | |
| 13. Unusual design features of the dwelling * | | | | | |
| 14. Absence of disturbing noises or offensive odors * | | | | | |
| 15. STANDARDS OF MAINTENANCE | Building (Interior and Exterior) | GOVERNMENT | | PRIVATE | |
| | | YES <input type="checkbox"/> | NO <input type="checkbox"/> | YES <input type="checkbox"/> | NO <input type="checkbox"/> |
| | Grounds (Gardening) | YES <input type="checkbox"/> | NO <input type="checkbox"/> | YES <input type="checkbox"/> | NO <input type="checkbox"/> |
| 40. TOTALS | | + | % | - | % |
| 41. Net amenity adjustment for Government quarters as compared to Private Rental (Indicate + or -) | | % | | | |
| 42. EXPLAIN THE SPECIFIC BASIS OF AMENITIES 5, 6, 7, 8, 9, 10, 13, AND 14 WHEN ADJUSTMENTS ARE GRANTED | | | | | |

ARS Form 261 (Page 4)

| | | |
|---|-----------|---|
| ITEMS 43 THRU 47 NEED ONLY BE COMPLETED ONCE FOR ALL QUARTERS ON THE STATION | | |
| 43. NAMES AND ADDRESSES OF OTHER CONTACTS MADE TO OBTAIN RENTAL LISTINGS (Realtors, VA, FHA, Savings and Loans, Banks, Private Lessors, etc.) | | |
| | | |
| 44. OTHER LISTINGS OBTAINED USED FOR COMPARISON OR FOR DEMONSTRATION OF MARKET | | |
| | | |
| 45. BASIS OF APPRAISAL IN ESTABLISHED COMMUNITY OR ADJACENT TO (5 miles) <input type="checkbox"/> | | PROFESSIONAL REAL ESTATE APPRAISER <input type="checkbox"/> |
| REGIONAL BASIS <input type="checkbox"/> (OR) NEARBY REPRESENTATIVE PRIVATE COMMUNITY <input type="checkbox"/> | | REAL ESTATE RENTAL VALUE CONCEPT <input type="checkbox"/> |
| 46. DATE APPRAISAL COMPLETED | | |
| 47. COMMENTS, REMARKS OR OPINIONS | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| MEMBERS OF SURVEY BOARD, REALTY SPECIALIST OR PROFESSIONAL REAL ESTATE APPRAISER <i>(Chairman must always sign each appraisal document)</i> | | |
| 48. SIGNATURE | 49. TITLE | 50. ADDRESS |
| 51. SIGNATURE | 52. TITLE | 53. ADDRESS |
| 54. CHAIRMAN'S SIGNATURE | 55. TITLE | 56. ADDRESS |

ARS-494

| United States Department of Agriculture Agricultural Research Service REVOCABLE PERMIT | | |
|--|--|------------------------|
| FROM (Agency and complete mailing address (including ZIP Code)) | PERMIT NO. FY - Block 2 | DATE ISSUED Block 3 |
| Block 1 | AMENDMENT NO. FY - Block 4 | DATE ISSUED Block 5 |
| | PERIOD OF USE: FROM Block 6 THROUGH | |
| | PERMITTEE (Name and complete mailing address (including ZIP Code)) | |
| Block 7 | GOVERNMENT REPRESENTATIVE (Name, title, and complete address) Block 8 | |
| PHONE NUMBER | | |
| PURPOSE (Describe privilege requested in detail) Block 9 | | |
| DESCRIPTION OF PROPERTY (Specify unit numbers, metes and bounds, etc.) | | |
| <input type="checkbox"/> LAND <input type="checkbox"/> BUILDING | | |
| Block 10 | | |
| SPECIAL CONDITIONS | | |
| Block 11 | | |
| REAL PROPERTY LEASING OFFICER OR AUTHORIZED REPRESENTATIVE | | |
| SIGNATURE | NAME AND TITLE (Typed or Printed) Block 12 | DATE ISSUED |
| PERMITTEE | | |
| <i>This Permit is accepted subject to the terms, conditions, and requirements expressed herein.</i> | | |
| SIGNATURE | NAME AND TITLE (Typed or Printed) Block 13 | DATE ISSUED |
| Form ARS-494 (1/2013) See reverse for General Terms and Conditions USDA-ARS This form was electronically produced by USDA/ARS/OCIO/ADB. | | |

ARS-494 (Page 2)

GENERAL TERMS AND CONDITIONS

1. **Grant** — This permit is granted by the United States of America, acting by and through the Real Estate Warrant Officer, or duly authorized representative, for the specified purposes, and subject to the conditions and requirements set forth herein.
2. **Use Limitations** — The permittee's use of the described premises is limited to the purposes herein specified. The permit is subject to such easements and rights-of-way in, over, or upon the herein-described lands that have been granted or that may hereafter be granted by the Government and shall be subject further to the right of access by duly authorized Federal Personnel to any part thereof in the performance of official duties.
3. **Damages** — The permittee shall hold the United States harmless from claims, demands, suits in law or in equity of any kind or nature for damage to or loss of property, or of injury to, or death of persons resulting from or attributable to the development, use or maintenance of the herein-described lands of the Government.
4. **Operating Rules and Laws** — The permittee shall keep the premises in a neat and orderly condition at all times, and shall comply with all municipal, county, and State laws applicable to operations under the permit as well as all Federal laws, rules, and regulations governing the area described in this permit.
5. **Responsibility of Permittee** — The permittee, by operating on the premises, shall be considered to have accepted these premises with all the facilities, fixtures, or improvements in their existing condition as of the date of this permit. At the end of the period specified or upon earlier termination, the permittee shall give up the premises in as good order and condition as when received except for reasonable wear, tear, or damage occurring without fault or negligence. Notwithstanding other provisions in this permit requiring reasonable care, the permittee shall be strictly liable for any and all damages to property, real or personal, including, but not limited to, damages or loss caused from fires, or injury to or loss of livestock, resulting from or attributable to the use or operation on the herein-described lands.
6. **Revocation Policy** — This permit may be revoked at the will of the Real Estate Warrant Officer or duly authorized representative. Upon giving of such notice or revocation, this permit shall be null and void and, within a period of not more than _____ days, the property of the permittee shall be removed in such manner as not to endanger property of the Government or to interfere with the use thereof by the Government, and the premises utilized in this permit shall be restored to the same condition as when this permit was first issued, ordinary wear and tear excepted.
7. **Termination Policy** — At the termination of this permit, the permittee shall immediately give up possession to the Government representative, reserving the rights specified in paragraph 8.
8. **Removal of Permittee's Property** — Upon the expiration or termination of this permit, the permittee may, within a reasonable period as stated in this permit or as determined by the Government representative, but not to exceed _____ days, remove all structures, machinery and/or equipment, etc., from the premises for which the permittee is responsible. Upon failure to remove any of the above items within the aforesaid period, they shall become property of the United States.
9. **Transfer of Privileges** — No rights under this permit may be transferred without the advance written approval of the Real Estate Warrant Officer, or duly authorized representative.
10. **Officials Barred from Participating** — No member of or delegate to Congress or Resident Commissioner shall be admitted to any share or part of this permit or to any benefit to arise therefrom. This provision shall not be construed to extent to this permit if made with a corporation for its general benefit.
11. **Non-discrimination** — This permit is made subject to the provisions in "Assurance of Compliance with the Department of Agriculture Regulations under Title VI of the Civil Rights Act of 1964," Form ARS-519. In addition to signing the permit, the permittee is required to sign the attached Form ARS-519 — *not applicable to Government rental of quarters*.
12. **Use of Insecticides** — The permittee shall not use an "Active Ingredient" as defined in Section 2 of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, (61 Stat. 163; 7 U.S.C. 136 et seq.) in violation of said Act on the land described in this permit.

Rules and Regulations Governing Conduct on Federal Property



U.S. General Services Administration

Rules and Regulations Governing Conduct on Federal Property

November, 2005

Federal Management Regulation Title 41, Code of Federal Regulations, Part 102-74, Subpart C

Applicability (41 CFR 102-74.385). The rules in this subpart apply to all property under the authority of GSA and to all persons entering in or on such property. Each occupant agency shall be responsible for the observance of these rules and regulations. Federal agencies must post the notice in the Appendix to this part at each public entrance to each Federal facility.

Inspection (41 CFR 102-74.370). Federal agencies may, at their discretion, inspect packages, briefcases, and other containers in the immediate possession of visitors, employees or other persons arriving on, working at, visiting, or departing from Federal property. Federal agencies may conduct a full search of a person and the vehicle the person is driving or occupying upon his or her arrival.

Admission to Property (41 CFR 102-74.375). Federal agencies must:

- Except as otherwise permitted, close property to the public during other than normal working hours. In those instances where a Federal agency has approved the after-normal-working hours use of buildings or portions thereof for activities authorized by subpart D of this part, Federal agencies must not close the property or affected portions thereof to the public;
- Close property to the public during working hours only when situations require this action to ensure the orderly conduct of Government business. The designated official under the Contingency Emergency Program may make such decision only after consultation with the buildings manager and the highest ranking representative of the law enforcement organization responsible for protection of the property or the area. The designated official is defined in Sec. 102-71.20 of this chapter as the highest ranking official of the primary occupant agency, or the alternate highest ranking official or designee selected by mutual agreement by other occupant agency officials; and
- When property or a portion thereof is closed to the public, restrict admission to the property, or the affected portion, to authorized persons who must register upon entry to the property and must, when requested, display Government or other identifying credentials to Federal police officers or other authorized individuals when entering, leaving, or while on the property. Failure to comply with any of the applicable provisions is a violation of these regulations.

Preservation of Property (41 CFR 102-74.380). All persons entering in or on Federal property are prohibited from:

- Improperly disposing of rubbish on property;
- Willfully destroying or damaging property;
- Stealing property;
- Creating any hazard on property to persons or things; or
- Throwing articles of any kind from or at a building or discharging upon streets, fountains or any part of the building.

Conformity with Signs and Directions (41 CFR 102-74.385). Persons in and on property must at all times comply with official signs of a prohibitory, regulatory or directory nature and with the lawful direction of Federal police officers and other authorized individuals.

Disturbances (41 CFR 102-74.390). All persons entering

in or on Federal property are prohibited from entering, exhibiting, disorderly conduct or exhibiting other conduct on property that:

- Creates loud or unusual noise or a nuisance;
- Unreasonably obstructs the usual use of entrances, lobbies, corridors, offices, elevators, stairways, or parking lots;
- Otherwise impedes or disrupts the performance of official duties by Government employees; or
- Prevents the general public from obtaining the administrative services provided on the property in a timely manner.

Gambling (41 CFR 102-74.395). (a) Except for the vending or exchange of chances by licensed blind vendors of vending facilities for any lottery set forth in a State law and authorized by section 2(a)(5) of the Randolph-Sheppard Act (20 U.S.C. 107 et seq.), all persons entering in or on Federal property are prohibited from:

- Participating in games for money or other personal property;
- Operating gambling devices;
- Conducting a lottery in a pool;
- Selling or purchasing numbers tickets;
- The provision is not intended to prohibit prize drawings for personal property of otherwise permitted functions on Federal property, provided that the game or drawing does not constitute gambling per se. Gambling per se means a game of chance where the participant risks something of value for the chance to gain or win a prize.

Narcotics and Other Drugs (41 CFR 102-74.400). Except in cases where the drug is being used as prescribed for a patient by a licensed physician, all persons entering in or on Federal property are prohibited from:

- Being under the influence, using or possessing any narcotic drug, hallucinogens, marijuana, barbiturates, or amphetamines; or
- Operating a motor vehicle on the property while under the influence of alcoholic beverages, narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines.

Alcoholic Beverages (41 CFR 102-74.405). Except where the head of the responsible agency or his or her designee has granted an exemption in writing for the appropriate official use of alcoholic beverages, all persons entering in or on Federal property are prohibited from being under the influence or using alcoholic beverages. The head of the responsible agency or his or her designee must provide a copy of all exemptions granted to the buildings manager and the highest ranking representative of the law enforcement organization, or other authorized officials, responsible for the security of the property.

Soliciting, Lending and Debt Collection (41 CFR 102-74.410). All persons entering in or on Federal property are prohibited from soliciting alms (including money and non-monetary items) or commercial political donations, vending merchandise of all kinds, displaying or distributing commercial advertising, or collecting private debts, except for:

- Federal or local drives for funds for welfare, health or other purposes as authorized by 5 CFR part 550, entitled "Solicitation of Federal Civilian and Uniformed Services Personnel for Contributions to Private Voluntary Organizations," and sponsored or approved by the occupant agency;
- Consentaneous or personal notices posted by employees on authorized bulletin boards;
- Solicitation of labor organization membership or dues authorized by occupant agencies under the Civil Service Reform Act of 1978 (Pub. L. 95-454);
- Loans, or its agents and employees, with respect to space leased for commercial, cultural, educational, or recreational use under 40 U.S.C. 5610; Public areas of GSA-controlled property may be used for other activities in accordance with subpart D of this part;
- Collection of non-monetary items that are sponsored or approved by the occupant agency; and
- Commercial activities sponsored by recognized Federal employee associations and on-site child care centers.

Posting and Distributing Materials (41 CFR 102-74.415). All persons entering in or on Federal property are prohibited from:

- Distributing free samples of consumer products in or around Federal buildings, as mandated by Section 630 of Public Law 104-62;
- Posting or affixing materials, such as pamphlets, handbills, or fliers, on bulletin boards or elsewhere on GSA-controlled property, except as authorized in Sec. 102-74.410; or when these displays are conducted as part of authorized Government activities; and
- Distributing materials, such as pamphlets, handbills or fliers, unless concluded as part of authorized Government activities. This prohibition does not apply to public areas of the property as defined in Sec. 102-71.20 of this chapter. However, any person or organization proposing to distribute materials in a public area under this section must first obtain a permit from the building manager as specified in subpart D of this part. Any such person or organization must distribute materials only in accordance with the provisions of subpart D of this part. Failure to comply with these provisions is a violation of these regulations.

Photographs for News, Advertising, or Commercial Purposes (41 CFR 102-74.420). Except where security regulations, rules, orders, or directives apply or a Federal court order or rule prohibits it, persons entering in or on Federal property may take photographs of:

- Space occupied by a tenant agency for non-commercial purposes only with the permission of the occupying agency concerned;
- Space occupied by a tenant agency for commercial purposes only with written permission of an authorized official of the occupying agency concerned; and
- Building entrances, lobbies, foyers, corridors, or stairways for news purposes.

Dogs and Other Animals (41 CFR 102-74.425). No person may bring dogs or other animals on Federal property for other than official purposes. However, a disabled person may bring

a seeing-eye dog, a guide dog, or other animal assisting or being trained to assist that individual.

Breastfeeding (41 CFR 102-74.430). Public Law 106-198, Section 608, Division F, Title VI (January 23, 2004), provides that a woman may breastfeed her child at any location in a Federal building or on Federal property if the woman and her child are otherwise authorized to be present at the location.

Vehicle and Pedestrian Traffic (41 CFR 102-74.435). All vehicle drivers entering or while on Federal property:

- Must drive in a careful and safe manner at all times;
- Must comply with the signs and directions of Federal police officers or other authorized individuals;
- Must comply with all posted traffic signs;
- Must comply with any additional posted traffic directives approved by the GSA Regional Administrator, which will have the same force and effect as these regulations;
- Are prohibited from blocking entrances, driveways, walkways, loading platforms, or bus hydrants; and
- Are prohibited from parking on Federal property without a permit. Parking without authority, parking in unauthorized locations or in locations reserved for other persons, or parking contrary to the direction of posted signs is prohibited. Vehicles parked in violation, where warning signs are posted, are subject to removal at the owner's risk and expense. Federal agencies may take as proof that a motor vehicle was parked in violation of these regulations or directives as prima facie evidence that the registered owner was responsible for the violation.

Explosives (41 CFR 102-74.435). No person entering or while on Federal property may carry or possess explosives, or items intended to be used to fabricate an explosive or incendiary device, either openly or concealed, except for official purposes.

Weapons (41 CFR 102-74.440). Federal law prohibits the possession of firearms or other dangerous weapons in Federal facilities and Federal court facilities by all persons not specifically authorized by 18 U.S.C. 930. Violators will be subject to fine and/or imprisonment for periods up to five (5) years.

Hand Identification (41 CFR 102-74.445). Federal agencies must not discriminate by segregation or otherwise against any person or persons because of race, creed, religion, age, sex, color, disability, national origin in furnishing or by refusing to furnish to such person or persons the use of any facility of a public nature, including all services, privileges, accommodations, and activities provided on the property.

Penalties (41 CFR 102-74.450). A person found guilty of violating any rule or regulation in this subpart while on any property under the charge and control of GSA shall be fined under title 18 of the United States Code, imprisoned for not more than 30 days, or both.

Injury on Other Laws or Regulations (41 CFR 102-74.455). No rule or regulation in this subpart may be construed to nullify any other Federal laws or regulations or any State and local laws and regulations applicable to any area in which the property is situated (40 U.S.C. 12102).

WARNING WEAPONS PROHIBITED

Federal law prohibits the possession of firearms or other dangerous weapons in Federal facilities and Federal court facilities by all persons not specifically authorized by Title 18, United States Code, Section 930. Violators will be subject to fine and/or imprisonment for periods up to five (5) years.

Certificate of Acceptance

CERTIFICATE OF ACCEPTANCE

The attached Condition Report Covers the premises located at :

The premises have been accepted as of _____. The attached report consists of _____ pages and has been jointly prepared by the undersigned parties.

Deficiencies noted herein are recorded for protection of the Government and the Occupant, particularly for termination purposes, by either party, of the corresponding *Form ARS-494, Revocable Permit*.

All conditions noted are minor and in no way render the premises unsuitable for assignment as public quarters. The Occupant is aware of his/her responsibilities and fully informed that charges will be assessed should damage to the quarters, or other Government property, exceed normal wear and tear *and/or* the quarters not be vacated in a clean and orderly condition.

Upon either party giving notice to terminate occupancy, a cleaning checklist will be made available to Occupant to assist him/her in the clearing of quarters.

The attached Condition Report will be a baseline in assessing damages due for reimbursement to the Government for loss or damage. In the event of loss or damage to the quarters or other Government property, the Occupant will be afforded an opportunity to repair or replace property damaged or considered to exceed normal wear and tear. Property/premises will be restored prior to vacating quarters and returning _____ sets of keys. Any repairs/replacements will satisfactorily meet the acceptance of a Government Representative before relieving the Occupant of further liability.

Date

Signature of Assigned Occupant

Date

Signature of Government Representative

Exhibit 16

Condition Report

| CONDITION REPORT | | Condition Codes: D/U=Damaged Usable G=Good N=New R=Repair/Replace | |
|-----------------------|----------------|--|--------|
| Room /Item | Condition Code | Comments/Description of Deficiency | |
| Living Room | | | |
| Windows/Blinds/Shades | | | |
| Doors | | | |
| Floor | | | |
| Walls/Ceiling/Trim | | | |
| Lighting/Outlets | | | |
| Dining Room | | | |
| Windows/Blinds/Shades | | | |
| Doors | | | |
| Floor | | | |
| Walls/Ceiling/Trim | | | |
| Lighting/Outlets | | | |
| Kitchen | | | |
| Windows/Blinds/Shades | | | |
| Doors | | | |
| Floor | | | |
| Walls/Ceiling/Trim | | | |
| Lighting/Outlets | | | |
| Cabinets | | | |
| Countertops | | | |
| Refrigerator | | Make: | Model: |
| Range | | Make: | Model: |
| Dishwasher | | Make: | Model: |
| Entry/Hall | | | |
| Doors | | | |
| Closet | | | |
| Floor | | | |
| Walls/Ceiling/Trim | | | |
| Lighting/Outlets | | | |

Condition Report (Page 2)

| Room /Item | Condition Code | Comments/Description of Deficiency |
|--|----------------|--|
| Bedroom 1 | | |
| Windows/Blinds/Shades | | |
| Doors | | |
| Closet(s) | | |
| Floor | | |
| Walls/Ceiling/Trim | | |
| Lighting/Outlets | | |
| Bedroom 2 | | |
| Windows/Blinds/Shades | | |
| Doors | | |
| Closet(s) | | |
| Floor | | |
| Walls/Ceiling/Trim | | |
| Lighting/Outlets | | |
| Bedroom 3 | | |
| Windows/Blinds/Shades | | |
| Doors | | |
| Closet(s) | | |
| Floor | | |
| Walls/Ceiling/Trim | | |
| Lighting/Outlets | | |
| Garage/Carport/Parking | | __ Detached __ Attached |
| Yard | | |
| Shrubs/Plantings | | |
| Utility Room | | |
| Hot Water Heater | | |
| Furnace/AC | | Fuel type: |
| Miscellaneous | | |
| Resident's Signature | | Date |
| Location Representative or BSC RPLO | | Date |

REE-17

| U.S. Department of Agriculture Research, Education, and Economics | | | |
|---|------|---|------|
| RATES FOR QUARTERS AND SERVICES FURNISHED TO FEDERAL EMPLOYEES | | | |
| INSTRUCTIONS: Explain all changes in Remarks section. Distribution - Business Service Center Real Property Leasing Officer, Servicing Human Resources Specialist, Administrative Officer and Employee. | | NAME OF EMPLOYEE (Last, first, middle initial) <hr/> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;">SOCIAL SECURITY NO.</div> <div style="width: 45%;">EFFECTIVE DATE OF ACTION</div> </div> <hr/> STATION ADDRESS <hr/> | |
| ACTION <input type="checkbox"/> ESTABLISH <input type="checkbox"/> CHANGE <input type="checkbox"/> TERMINATE | | BUILDING NAME, NUMBER & LOCATION <hr/> | |
| ANNUAL QUARTERS RENTAL RATE _____ | | | |
| UTILITIES AND SERVICES FURNISHED BY FEDERAL GOVERNMENT | | ANNUAL COST | |
| ELECTRICITY | | | |
| TELEPHONE | | | |
| COAL | | | |
| OIL | | | |
| WATER | | | |
| TRASH COLLECTION | | | |
| OTHER (Specify) | | | |
| TOTAL ANNUAL RENTAL RATE - UTILITIES AND SERVICES | | | |
| BI-WEEKLY DEDUCTIONS | | | |
| REMARKS | | | |
| NOTIFICATION/APPROVAL SIGNATURES | | | |
| EMPLOYEE | DATE | Real Property Leasing Officer | DATE |
| <small>REE-17 (Rev. 1/2013) This form was electronically produced by USDA/ARS/DCIO/ADB</small> | | | |

Exhibit 18

Report of Termination/Eviction Memorandum



United States Department of Agriculture

Research, Education, and Economics
Agricultural Research Service

(DATE)

SUBJECT: Termination

TO: _____

FROM: Jane Doe, Real Property Leasing Officer

You are hereby notified of the termination of the following-described instrument in accordance with the terms herein:

- Revocable Permit Number 57-####-##-###
- Location of Premises

-
- Effective date of termination: _____ (Date)
 - Termination for/by: Convenience of the Government
 - Compliance with the Quarters Assignment Agreement, Effective on _____ (Date), the Special Conditions and General Terms and Conditions of the above-referenced instrument is requested.

Please contact me at (301) 504-XXXX to schedule a preliminary and final inspection. The Preliminary Inspection will assist you with identifying deficiencies that should be corrected prior to your Final Inspection. Should you not be able to complete any identified repairs/replacements or cleaning requirements, charges may be assessed. Please note that your quarters should be completely cleaned and _____ sets of keys ready to be turned in at your Final Inspection. Should you wish to obtain a cleaning checklist, I will be happy to provide you with this upon scheduling your inspections.

Preliminary Inspection Date: _____ Time: _____
Final Inspection Date: _____ Time: _____



Administrative and Financial Management
5601 Sunnyside Avenue • Beltsville, MD 20705-5100
An Equal Opportunity Employer

Exhibit 19

Cleaning Checklist

CLEANING CHECKLIST

GENERAL

Completely removal all personal items from the home, storage areas, and garage/carport. Garages and carports should be free of any containers, grease, oil, paint, etc.

Ensure yard is free from garbage, animal feces, cigarette butts, and personal items. Any grassy areas that have been damaged or are barren should be reseeded and covered with straw; if vacating during the winter months, a product the same or comparable to Scott's Patchmaster should be used.

All Government-provided equipment and furnishings, including appliances, fixtures, hardware, windows and doors must be intact and in proper working order.

Walls and ceilings should be neutral in color, if not the original color. All nails, stickers, markings, etc. should be removed.

CARPET

Carpet, if government-furnished, should be steam cleaned and free of damage and/or discolorations.

KITCHEN

All appliances, inside and out; surfaces, including cabinets inside and out, countertops; and floors should be cleaned, free of grease, food particles.

BATHROOM(S)

All fixtures and surfaces should be clean, free of soap residue, mold, mildew and other dirt building up.

BEDROOM(S), LIVING AREA and DINING AREA

Walls, doors, and fixtures should free of nails, stickers, etc. and be clean. No damage should be present.

Exhibit 20